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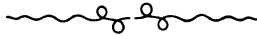
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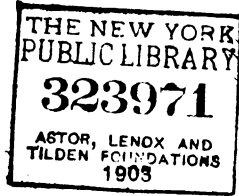


JOSEPH F. SCOTT,
Superintendent Massachusetts Reformatory.

PROCEEDINGS
OF THE
ANNUAL CONGRESS
OF THE
NATIONAL PRISON ASSOCIATION
OF THE
UNITED STATES,
HELD AT
KANSAS CITY, MISSOURI, NOVEMBER 9-13, 1901.



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1902.



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PROCEEDINGS.

OPENING SESSION—SATURDAY EVENING.

THE Annual Meeting of the National Prison Association of the United States was called to order in the Grand Avenue Methodist Episcopal Church, in Kansas City, Missouri, on Saturday evening, November 9, 1901, by HON. W. H. WALLACE, Chairman of the Local Committee. Prayer was offered by Rev. J. O'B. LOWRY.

Mr. WALLACE then welcomed the Association in a short address of which the following is the substance :

Ladies and Gentlemen:—My sincere gratitude is due you for the honor conferred upon me by asking me to preside upon this occasion. I hardly know what to say to you for it will not do for me to deliver the speech of welcome for the city, because the keys of the city do not belong to me and that pleasant duty must devolve upon the Mayor. Nor can I usurp the prerogative of the Governor in welcoming you to the Commonwealth of Missouri. But some one has suggested to me that I might tell you what I think of when I see a penitentiary. To be candid, the thought that has come into my mind every time that I have seen a prison within the last six weeks has been that I wished every anarchist in America were going to abide there forever. I do not believe that we people in America fully comprehend our situation in this matter of anarchy. Forty-four years before Christ, Julius Cæsar fell assassinated at the base of Pompey's statue. Thirty-seven years after Christ, Tiberius Cæsar was assassinated. Forty-one years after Christ, Caligula, the Roman despot, was assassinated. So that in eighty-five years in heathen Rome there were three chief rulers assassinated. In 1865 Abraham Lincoln was assassinated; in 1881 James A. Garfield and on the 6th of September, 1901, William McKinley was wounded to death and in imitation of his glorious Master said of his assassin: "Do not

let them hurt him." A few more days and he was in his tomb. So in about thirty-five years three of the chief rulers of Christian America have been assassinated.

The great question now presented to the American people is "What shall we do with the anarchist?" Of course the first suggestion that comes to you gentlemen who are interested in the imprisonment of criminals, is punishment. But no law is a law unless it has a penalty, and it is said that we cannot punish for an utterance; that we cannot punish a man if he join a murderer's society; that we cannot punish a man for making an anarchistic speech or advising others to kill, or writing an editorial in which he advises murder. I deny the proposition. The argument of course is based on the Constitution of the United States which provides that freedom of speech shall not be abridged. As a rule the men that make this argument are not lawyers. If they were they would remember that freedom of speech has been abridged by the law of criminal slander by which one can be sued and punished. We have a law to punish criminal libel by which if a man in writing or in print libels another he can be prosecuted and punished. These are instances of words and nothing but words, and these laws are in abrogation of a technically strict construction of the Constitution of the United States. How then can it be said that there can be no punishment for mere words? We have another law, that obscene literature can not be published or sent through the United States mails. So in these three instances the right of free speech has been abridged. If we can abridge the right of free speech as slander, as libel, as poison literature, why can we not do it as pernicious teaching, which is directed against the very life of the government itself? A government has the same right to protect itself that an individual has. That grows out of the law of necessity. I mention these things as matters for reflection.

As Mr. WALLACE was called away he then introduced R. L. YEAGER, Esq., as Chairman in his place.

Mr. YEAGER said that he thought education would be the best means of reducing the number of anarchists as well as the number of criminals. The public schools are the safety of the country. He then introduced Hon. JAMES A. READ, Mayor of the city.

ADDRESS OF HON. JAMES A. READ, MAYOR OF KANSAS CITY,
MISSOURI.

Mr. Chairman, Ladies and Gentlemen: It is a distinguished honor, as well as a great pleasure to say a few words of welcome to this Association of men and women who have come here for the purpose of studying the great questions of prison reform. As I have been looking over this audience it has occurred to me that it would have been impossible to have brought such a body of men as this together, to engage in such a meeting as this, a hundred years ago. In that short space of time the entire idea of the care and government of what is called the criminal class has undergone an absolute revolution. A few score years ago the dominant idea in the enforcement of all criminal law was the punishment, the annihilation, the destruction of the men who had committed the crime. Prison houses then were homes of torture and the leading thought in the mind of the law-maker and the law enforcer was to make the punishment of men so frightful that men would be deterred from the commission of crime. In addition the idea of revenge was ever present, accompanying every lash laid across the naked back of the cowering culprit. All that has been changed till to-day the question of how to handle the criminal class is not a question of punishment but of reform. We no longer punish men for crime, but we impose punishment for the purpose of their reformation, if they have not passed under that ban of the law which results in capital punishment. We no longer seek to annihilate the individual, or to destroy him, but to bring him in touch with humanity and to give him some opportunity to become a useful citizen. Accordingly the old system has passed away. No longer do you find men herded together in prisons in this country or in England where their lives are daily fading out because of their vile surroundings. No longer do we herd together those who have committed the smaller crimes and those who have committed more infamous crimes. I do not say that we have succeeded in entire separation, but there is an effort in that direction. No longer are men subjected to penalties which are

not found to be absolutely necessary, and no longer is the prison a chamber of horrors. No longer are men placed in the pillory or publicly whipped and no longer are minor crimes punished with the awful severity of former years. It is only a few years back when under the English law a man could be executed for stealing a loaf of bread or for clipping a coin.

The idea used to be that if the penalty was made terrible men would shrink from committing the crime. But familiarizing the people with seeing these awful punishments made criminals of the men who witnessed them and of the men who executed that kind of decree or law. It taught the people to be cruel, to hold before their eyes and minds the awful spectacle of a government itself being guilty of acts of atrocity under the name and form of law. And so was born the thought of reformation, of lifting men up instead of trying to break them down and giving them an opportunity to grow better in this world.

Then came the idea that we are trying to put into practice throughout the United States of reforming men in prison by teaching them useful avocations and giving them some chance in life. And these men should have a chance, for I believe that there is behind the prison wall many a man who in the balances of God will not find much in the scales against him. He is there as the result of bad environment, or lack of opportunity, of failure at some moment of weakness, and I believe it is not the severity that deters, it is not the torture to which men are subjected, but it is the certainty of punishment that will deter from the commission of crime.

That certainty of punishment is forever discounted, if it is not forever removed, just in proportion as you increase the severity of the penalty. Just as you undertake to put too severe a penalty on the commission of any act, just so certainly do you make it difficult to convict for the commission of the act, because in the last analysis the question of punishment must be decided by twelve men in whose bosoms beat the hearts of men and they will not convict if the penalty is out of proportion to the act. Let a law be passed to execute a boy for stealing a loaf of bread and you may impanel a jury—pick them out of this room if you will—and put them in the box and have them hold up their hands and swear to try the boy according to law and evidence, and you may

prove it by a thousand witnesses that he stole the loaf of bread and ask that jury to execute the boy and you could not find a jury that would not in thirty seconds find him "not guilty."

I often hear propositions to increase penalties, but I want to say that is not the best way to counteract the increase of crime. The thing to do to stop crime is to work for the regeneration of the criminal and to make punishment certain in proportion to the crime. And we need to take away the temptations that lead to crime. One of the things that makes the future bright is that men are working for the regeneration of the poor fellows who have committed crime and of the conditions that make criminals. Societies are being organized that have for their object the increase of the number of men who live good lives and who make an honest living. The thing that will drive men to crime and that will fill your prisons and will send men up the steps of the scaffold, more than all other things, is to deprive men of the opportunity to make a living in the world. The thing that will do most to stop crime is to increase the opportunity of men in life, because I tell you that demand is in the breast of every man. When a man sees the horizon of his opportunity circumscribed and narrowed, when he sees nothing but interminable toil and agony and strife of life, while others are rolling in all the splendor of wealth and magnificence, his heart rebels against it and if he be not a strong man he is liable to join the criminal class. If you can do something to keep men out of prison your organization will have done a great work for mankind.

Then I care not what may be said to the contrary by those who are always advocating an eye for an eye and a tooth for a tooth; I say that that old maxim was stricken out two thousand years ago by the greatest of all the living and the dead. It has no longer any part in the theory of any well-balanced mind.

When a man is back of the walls of the penitentiary you need to study these problems. I believe in giving that man a chance, although he is behind the walls of prison. I believe you have met for this purpose, to study these problems, therefore I welcome you here to our progressive city. No longer do we build walls to keep people out, but we extend our arms to welcome people in. We ask you to make yourselves at home among us.

In the absence of the Governor I want to say a word for the State of Missouri. There is no State in the Union where crime

is as certainly and surely punished as in Missouri. The records of our courts will show that. That has always been true except during the civil war when this was the battle ground of both northern and southern armies, until the law was stricken down. But when the Missourian returned he came back to be a law abiding citizen.

When you travel across this State you will see splendid farm houses and in sight of every farm house a school house, our schools with a splendid endowment of thirteen million dollars set aside to maintain the public schools of this State. And in sight of every school house you will see the spire of some little country church, for the people here believe in religion as much as in any place on earth.

Hon. S. J. BARROWS, Secretary of the Prison Association of New York, was invited to respond to the welcome on behalf of the Association.

Hon. S. J. BARROWS.—The conference has asked me to speak for it but it has already spoken for itself. It has a way of literally taking this matter into its own hands. In the applause which you have heard it has expressed its own gratitude for the welcome that has been extended to it. It is my grateful task simply to put into words and phrases what this audience has said with its palms. If it be difficult to do that in words, it is not at all difficult to interpret the feeling that this Congress represents, and nothing that I could add would make you more certain that we are grateful for the welcome we have received.

We feel that this welcome is personal; we are made to feel at home in your hospitable city and in your large and generous State. But that welcome is also an official welcome. You speak, Sir, in a representative capacity, representing this great and progressive city, its high endeavor and its large accomplishment, and in the absence of the Governor, you also represent this great State. I looked forward with pleasure to meeting Governor Dockery here, because the last time I met him was in the House of Representatives in Washington, when I slipped over from the Republican side to shake his hand and congratulate him on becoming the Governor of Missouri. We stood on the different sides of the House then, but I thought to-night we should stand on the same platform joined together for the same high and humane purpose.

We know something of the State of Missouri. I know a little of Kansas City myself. I was here twenty-eight years ago and I can testify to the strides that have been made. We know something of the pivotal position that Missouri has occupied in the political history of this country. We know the great manufactures and industries it has developed and the crops it has produced and the great men, the lawyers, the statesmen, the warriors that have come from Missouri.

As we from the East are apt to look back on our history, you in the West are more likely to look forward to the future, so we greet the Missouri of the past and the Missouri that is to come.

You speak, Sir, in an official capacity. Most of the ladies and gentlemen who are before you represent some official position. They come as official delegates from different States and they bring with them the greetings of those States. They come with a sense of official responsibility. No one who has ever occupied an official position can appreciate how burdensome may be that duty and how hard to fulfill or how much development may come in its fulfillment. These ladies and gentlemen have come with this sense of official responsibility. A few years ago I addressed a letter to the Governor of one of the States asking for his inaugural address and his last message, wishing to know his views on prison matters. He sent them with a letter saying that if he had known as much two years before as he did then he would not have written what he did then. I admired that man for keeping his eyes open in his official position and getting the education which comes from bearing the responsibilities of an official position.

The welcome that you have extended to us to-night is a welcome to our ideas, it is mental hospitality; and I think nothing could be more grateful to these delegates than the fact that the ideas and principles of this Congress are welcome as well as those who attempt to embody them. Speaking for myself I am grateful for the exposition of the principles of penology which you have presented to us to-night. I do not myself undertake to represent all the opinions of this Congress, for we are made up of different elements, and we thresh out with the flail of discussion many questions that are not yet settled, but we are agreed upon some of the fundamental principles which you have so happily stated to-night. You have spoken of education, you have spoken of

regeneration. We must never expect the law to do the work which the Gospel alone can do. We who are here in this capacity are not to be turned aside from our confidence in the deep principles that we have learned to honor and respect and profess by any side eddies of crime, any ebullition here and there which may awaken public alarm. We have confidence that we are moving along certain right lines for the good of society and for the development of the individual and we are certain also, as has been expressed by you, that no increase in the weight of penalties will rescue society from the burden of crime which comes from the lack of education, of moral training, and of fortunate environment.

This afternoon I went down to the river and as I stood on the bank I said to some one: "The river seems to be running in the wrong direction." He said: "Here it is running east and down there it runs north and then it works round a good deal, but by and by it gets to St. Louis." It seemed to me that perhaps in this river there was a figure of the spirit and purpose and activities of this Congress. The river has its rise in the mountains and as it comes down it brings fertility to these low lands, carrying irrigation with it until it comes to larger channels through which it moves to the great ocean. So this Congress has its rise in high impulses in noble lives, in years that are gone, in Howard, in Beccaria, in Pope Clement II, away back in Jesus of Nazareth; and these impulses have come down to us and are moving us. Sometimes we are making our way in large circles, sometimes running a little dry perhaps, but still moving on, hoping that we shall do something to irrigate the land as we go along, bearing some vital, some important and continual bequest to the great ocean of humanity into which we shall flow.

(Mr. Yeager speaks a second time.)

Mr. YEAGER said that without knowing just the scope of the work of the Association he wanted to say that he was opposed to the idea "once a convict always a convict". He told of an instance where a young man who had a mother to support and who came to him on his release from prison for advice. He was advised by Mr. YEAGER to settle down and make a home for his mother. He said that he could not, that wherever he should go the police would hound him and that his past would be constantly brought up against him. Before he left town that young man forged a

check and got the money and after other crimes he was again in the penitentiary. Mr. YEAGER emphasized the point that prisoners should be encouraged to go back to the places where they had committed their crime and make a fresh start there. He instanced several cases where that had been done with great success to his personal knowledge. He closed with the following illustration of the advantage of this course:

A young man served his time for assault, came out and started a factory where he employs thousands of men. For twenty-five years he carried his secret in his breast, no one knowing anything about it. He had become a millionaire, when some one discovered it and blackmailing began. He went to his attorney who advised him to make a plain statement of the facts. He did so and while he was a respected citizen before he is a hundred times more respected now because the people know the facts. Wardens always advise the man to go right to the point where he committed his crime and start anew at that point. Do not try to keep it a secret or people will whisper about it. If they know the facts they will not talk about it.

The President of the Association was then introduced, Supt. J. F. SCOTT, of Concord, Massachusetts, who read the annual address.

ANNUAL ADDRESS.

BY HON. JOSEPH F. SCOTT, PRESIDENT.

Members of the National Prison Association, Ladies and Gentlemen:

The thirtieth annual congress of the National Prison Association convenes at this time with goodly numbers in attendance and the promise of a profitable session. The warm western welcome of a great State and prosperous city greets us, assuring us of the interest of this central section of our country in the subjects under consideration by this Association.

Delegates are here from the length and breadth of the land, to contribute their rich and varied experiences in promoting a better knowledge of prison science, a subject of vital consequence to every community. We seek the co-operation of the citizens of this city and State in the advancement of our work and request

they join us in these deliberations to our mutual profit. Delegates to this Congress will desire to inspect as many of the penal, reformatory and charitable institutions as their time will permit, to gain a knowledge of the methods here employed in dealing with the criminal and indigent classes. We also hope to be able to leave, not only pleasant remembrances of this meeting in this city, but some suggestions which may be of value.

The Association extends its greetings to the delegates who meet with us for the first time. We urge you to feel at home with us from the first and to enter immediately into a full participation of the work of the Association.

The National Prison Association was organized to promote the cause of prison reform. What results has it attained and what progress has been made in this direction in this country? Viewed from year to year, progress seems slow, and little gain seems to be made toward the realization of our ideals, but as time sweeps us through the portals of a new century we reach a station point from which a larger perspective reveals more clearly the advancement made. The nineteenth century has been a century of progress, crowded with innumerable achievements in every walk of life. In many ways more advancement was made in the nineteenth century than in all that preceded it. It was the fruition of the ages. What progress was made in the arts and sciences, invention succeeding invention, changing completely the conditions under which we live; what strides in commerce, bringing into direct contact the distant sections of our own country and placing us in intimate relations with all the nations of the world; what facilities of communication have been opened up through the telegraph, the telephone, the post and the newspaper, dwarfing the earth until the doings of all are known by all; what development of wealth, out of the abundance of which all things are laid at our feet! Nor has the great activity in material things absorbed all the energy of man. There is still loyalty and service and consecration and sacrifice. Never before has charity been provided so abundantly nor wealth been bestowed upon the education of the youth. Intellectuality was never more general nor the sympathies of the human heart more compassionate. Religious thought has been quickened and the brotherhood of man realized as in no other time. The weak and the defective receive the care not accorded in other centuries, and even the criminal,

the despised of all ages, has received the serious attention of the enlightened.

Penology has made progress, and its only progress, in the past century; in fact the whole history of prison reform is embraced in this period. To be sure we catch occasional glimpses of spasmodic attempts to better the condition of prisons previous to the beginning of the century, but the spirit of reform was always throttled by the strong grip of tyranny, which held all things in thralldom. The spirit of the age was repugnant to all reform, and prison reform in particular. The sentiment towards criminals was retributive and vindictive. All men were subjects, and subjects received little consideration when they offended against the powers holding them in subjection. We know of the efforts of the good Clement XI, in the establishment of his prison for the education of criminal youth early in the eighteenth century. We know of Denne, of Bray and of the great Howard, but their words fell upon unresponsive ears, and their voices sounded only in the wilderness. To whom or to what are we to look for the chief source of prison reform? I believe it was the Declaration of Independence that gave vitality to the movement. The declaration that power was to come from the consent of the governed loosed the hand of tyranny from the oppressed and down-trodden. It was the declaration of the equality and the freedom of men that made prison reform possible. Finding its birth in freedom, it was nurtured by a government of freedmen, whose constitution "establishes justice, promotes the general welfare, and secures the blessings of liberty." When the welfare of the individual became the underlying principle in the establishment of government, the rights of all receiving its protection, then the welfare of the criminal became a matter of concern to the State.

Let us briefly note a few of the more important events in prison reform during the past century. In the early days crime was largely a local affair. Knowledge of crime, unless it were especially atrocious, rarely reached beyond the community where it was committed. Criminals were tried in local courts and punished in local jails under local control, primitive in structure and wretched in accommodation. The jail of that period was the common receptacle for the criminal, the insane, imbecile, innocent

and guilty of both sexes, wherein they mingled promiscuously to their own demoralization.

Following the revolution, after government had been established and the more important questions of public welfare disposed of, we find the attention of the people directed towards a better system of dealing with the criminal classes. The earliest movement was for the adoption of the penitentiary system. Massachusetts in 1805 completed the first State prison for the reception of prisoners sentenced throughout the entire State. Other states soon possessed similar institutions. Thomas Jefferson was active in the movement in Virginia and furnished the plans unique in their conception for the prison in Richmond which stands in the main at the present day as it was originally built. But the two prisons destined to be the types followed in the building of other prisons, in this country and throughout the world, were later erected at Auburn, New York, and Philadelphia, Pa., giving the names to what are now known as the Auburn and Pennsylvania systems. The object sought under the penitentiary system was to place the criminals under State control, afford greater security and better sanitation, effect classification and furnish means for the employment of the convicts at remunerative labor.

Organizations for the aid of prisoners and the improvement of penal methods, beginning with State societies, have developed into national and international associations, whose influence is world-wide. The first prison society was organized in Philadelphia in 1776, and has continued with slight interruption to the present time. Similar organizations have existed for varying periods in many of the different states, notably in New York, Maryland and Massachusetts. Boston, as early as June 30, 1825, organized The Prison Discipline Society. This society was instrumental in the promotion of many reforms, chief of which was the separation of juvenile delinquents from adults. Through the efforts of this society an institution for the reformation of juvenile delinquents was established in Boston in 1826. New York the previous year, and Pennsylvania the year following, largely through influence of the prison societies of those states, built other institutions. From these institutions the reform school system of the United States has grown up to become one of the successful agencies in the prevention of crime.

The National Prison Association was the first philanthropic movement to effect a national organization in America. The initiative in this organization was taken by Dr. E. C. Wines, at that time the Secretary of the New York Prison Association. A convention of prison officers and others interested in the cause was held in Cincinnati in 1870, which was presided over by General Rutherford B. Hayes. A committee was chosen to procure a charter and perfect a permanent organization. Horatio Seymour was chosen President under this organization. Three congresses were held, the last in New York, in 1876. After the death of Dr. Wines, who had been its controlling spirit, interest waned, and further meetings were not held until reorganization was effected in the Fall of 1883. The next annual meeting was held in Saratoga in the following year. General Hayes was President, and continued to hold this office until his death. The Association has had a continued and prosperous existence since that time. Its meetings have been held in many different sections of the country, ranging from Boston to Denver and from Toronto to New Orleans. Wherever it has met its influence has awakened interest in penal matters. Its records are a fountain of information, containing the history of penal advancement for the past quarter of a century, revealing the best thought of America upon the subject. There, the best methods prevailing in the different States have been gathered, sifted and disseminated. It has drawn from the rich experience of prison officers and the researches of the students of sociology and become the mixing ground of theory and practice, from which the most advanced ideas in prison science have been formulated. It has been a source of instruction and inspiration to the prison officer, and the place for him to receive the stamp of approval upon any sound methods advanced. It has dignified the profession of prison workers, and lifted the whole subject out of the realm of the commonplace.

The most distinctively American project in prison reform during the past century, is the reformatory prison for adult prisoners. Many of the underlying principles of the reformatory system had been advanced by Captain Maconochie, who was for eight years superintendent of the penal colony at Norfolk Island. His ideas upon prison discipline were incorporated into a report which was presented to the British Parliament. The Crofton system also embodied many of these principles, but the credit

must be given to a small number of philanthropic Americans, led notably by Mr. Brockway, for the formulating of these principles into a practicable system, vitalized and made applicable by the indeterminate sentence and enacted into the law establishing the New York State Reformatory at Elmira. There, and in many similar institutions in other states, the practicability of reformatory methods has been demonstrated. The reformatory system is not intended to be applied to mature criminals, but to the beginners in crime, who may be recovered and preserved from further offense. The reformatory method of dealing with criminals is prospective, rather than retrospective. It deals with the offender rather than the offense. It is more concerned with the future of a criminal than his past. It is a simple matter in dealing with a criminal to punish a given offense with a certain duration of imprisonment; but when he is treated for being a criminal rather than for the offense he has committed, it opens up the question in all its complexity. The reformatory method places the whole subject of penology upon a scientific basis. Followed to its logical conclusion it demands that men should be committed to prison, not simply because they have committed an offense against the laws, but because they have been adjudged criminals and are a dangerous element in society; that they should be returned to society if they show evidences of reformation, and be indefinitely imprisoned when their criminality becomes habitual. A prison population, viewed from this standpoint, is like a great mass in a state of fermentation, a large proportion of which will clarify and may be drawn off, leaving the scum and dregs to be continually restrained. The reformatory system has attracted the attention of the world to the penal problem as no other system ever has, and changed largely the attitude of the public mind toward the criminal. If no other progress in the whole century had been made than the establishment of the reformatory system, the advancement in dealing with criminals in this country would still be notable.

Among the many other events of importance may be mentioned the establishment of separate prisons for women, the enactment of "good time" and parole laws, the inauguration of the probation system for the dealing with offenders outside prisons, the adoption of the Bertillon system of measurements for the identification of criminals, the separation of the criminal

insane; all of which have been steps upward in the progress of prison reform. When we compare the old jail at the beginning of the century, in which hundreds of human beings were thrown promiscuously together, the old, the young, the male, the female, the vicious, the novice in crime, the insane, the imbecile, the innocent and the guilty, under most wretched conditions—with one of our more advanced prisons of the present day,—housed under complete sanitary conditions, well organized, with proper classification, providing wholesome food, keeping its prisoners steadily employed, teaching them trades, giving them the advantages of education and affording a chance for moral instruction,—we can truthfully say that progress has not been slow, and that the ideals of those who labored in the cause have been partially reached, and that their labors have not been in vain.

The work has not been more notable than the workers. Unattractive to most men, the burden has rested upon the shoulders of the few, who have shown a consecration to the work which will make their names ever memorable. The list is not long; but its names shine out brightly from the shadowy canopy of lamentable indifference which has so long hung over the whole subject. If few in number, the forces have been well marshalled under the leadership of a band of whole-souled men, whose memory we delight to honor. Livingston, in his profound knowledge of criminal law and his clear enunciation of its principles, blazed the way for prison reform to follow; Dr. Wines, by his unremitting activity in gathering information, his wide influence and marked ability for organization and for formulation of plans, gave it scope and momentum; Governor Seymour, through the force of his personality and the power of his office, President Hayes, by his great ability, deep sympathy, untiring patience and the dignity of his high position, furnished a generalship which led it to a commanding position, whence its influence has been felt throughout the world. Likewise we do honor those self-sacrificing, noble men, who spent their best years in immediate contact with criminals, working constantly and zealously for the improvement of prisons and the welfare of the unfortunate beings under their care; whose efforts, not always appreciated by the general public, were nevertheless understood by their co-laborers. Who of us can ever forget the work of Elam Lynds or

Moses Pilsbury, of Gideon Haynes or Gardiner Tufts, of Joseph Nicholson or Michael Cassidy, or of her who stands out unique in all this work—Ellen C. Johnson. Among the living there are many who will be heirs to equal fame when the record of their deeds is closed.

With all the progress in these years in the realm of penology, better laws, prisons, systems and methods for dealing with criminals, and better measures for the prevention of crime, has it increased, or decreased? While there has been great progress in the manner of dealing with crime, there has constantly grown through all these years greater opportunity for the commission of crime. How impossible it would have been in the early days of the century to have conceived a dastardly crime in Paterson, New Jersey, and executed it within a few days in distant Monza; or, for a thief to have stolen merchandise in Boston, disposed of it in New York and secreted himself in Chicago, all within the brief period of two days. And crime-breeding conditions,—have they not increased in the same proportion as we have made progress in other directions? The crowding of population into cities, the enormous tides of immigration from the undesirable portions of Europe, the great accumulation of wealth, disturbing the equilibrium of social equality, the liberation of millions of slaves from the restraint of masters; these, with many other things which have brought great good to the country, have also produced crime-increasing conditions and lowered public moral tone.

Statistics of crime in the United States covering any extended period are so incomplete that any comparisons are almost valueless, but in those States where statistics have been carefully compiled it is interesting to note the relative increase in crime and population. In Massachusetts, for instance, where carefully prepared statistics of crime have been kept for a considerable period of time, we find that serious crime does not increase in proportion to the increase in population. In 1880 there were committed to prison in that State for offenses against the person 1,674, in 1900 for the same offenses 1,669. For offenses against property in 1880 there were committed to prison 2,105, and in 1900 for the same offenses 3,248, an increase in felonies in a period of 20 years of 30 per cent. The population of Massachusetts in 1880 was 1,783,085, in 1900, 2,805,346, an increase of

58 per cent. It is very evident that serious crime in that State shows a relative decrease. What the increase in crime has been throughout the United States is not so clear. Through the attention which is now given to this matter by the Census Bureau we shall eventually have statistics covering the whole country which will be of value. There is sufficient crime in the United States of a more serious nature, especially homicide, to make a blot upon our civilization, and of that particular form of homicide,—lynching,—to bring the blush of shame to every patriotic American citizen. The statistics gathered by the *Chicago Times-Herald* and *Chicago Tribune* through a period of years, although probably not accurate, are the most reliable of any at hand upon the subject. They show that in the past 20 years there have been 3,130 lynchings in the United States. Each State has been the scene of one or more lynchings in the past sixteen years, except Delaware, Massachusetts, New Hampshire, Rhode Island and Utah. The State having the largest number is Mississippi, with 253 to its discredit, Texas coming second with 247, Louisiana third with 221, Georgia with 219, Alabama 210 and Tennessee 169. The northern State having the greatest number is Indiana with 36, although Indian Territory had 53 and Oklahoma 36. Even more startling are the statistics of ordinary homicide compiled from the same source. The average number committed annually during the last decade in the different states, ranged from 6 in Vermont to 1021 in Texas. New York averaged 512, Alabama 461, California 422, Tennessee 408. Ten states ranged between 300 and 400; 8 between 200 and 300; 5 between 100 and 200, and 17 had less than 100, with an average for the whole country of 9,870. These figures, of course, are open to some question.

Judge W. H. Thomas, of Montgomery, Alabama, called attention when he was recently charging the grand jury to the large number of homicides in that State. He stated that the prosecutions for murder or manslaughter were at the rate of 197 a year, and there was an almost equal number of prosecutions under the charge of murderous assault. He compared the conditions there with those of Canada, which has almost three times the population of Alabama, and only 15 prosecutions for murder. If the number of homicides in the Dominion were as great in proportion to the population as they were in Alabama,

the Canadian courts would have 526 prosecutions. In the same way, based on proportion, he showed that England and Wales would have 3,423 prosecutions, instead of their present average of 322. New Hampshire would have 43 instead of 6; Connecticut 97 instead of 31; Michigan, 263 instead of 43; Ohio, 438 instead of 144; Indiana, 265 instead of 27; Utah, 29 instead of 11 and North Carolina, 200 instead of 126. When it is considered that there is in Alabama an average of 461 murders a year, with 197 prosecutions for murder, and that this State stands fifth in the number of lynchings, it may be inferred that lynchings have no material check upon crime.

No one understands better than the members of this Association how much easier it is to reform or revolutionize the world upon paper than in reality; but there is one resort ever held a sacred right by the people, which is always effective in dealing with questions of this kind, and that is agitation. What body of citizens can there be upon which the duty devolves with more force for action, than an association like this, organized under a constitution, one of the tenets of which is "the amelioration of the laws in relation to public offenses and offenders, and the mode of procedure by which such laws are enforced"? How often it occurs that a person, convicted of murder with no doubt as to his guilt, through the technicalities of the law, is delayed in receiving the punishment he deserves, or perhaps escapes it altogether. It is not a matter of great surprise that the temper of the people sometimes rises to that pitch where they take the law into their own hands and resort to violence. Agitate for a better administration of law, until the example so recently given us by the State of New York is followed by every State in the Union; agitate for greater respect for law, until a public sentiment is created which will demand the punishment of all who usurp its prerogatives, whether it be a fanatical woman who smashes saloons in Kansas, or an infuriated mob lynching a negro in Mississippi.

For a third time in the remembrance of most of us here assembled, has the chief magistrate of this nation been struck down by the hand of an assassin. The motive for the crime in the first two instances rested in the grievances of minds disordered by brooding over sectional animosities and political disappointments; but the motive of him who raised his perfidious hand against President McKinley was evolved from the emanations

of the unreasoning minds of the dregs of hatred, which even dignify themselves under the name of anarchists. Oh, the folly of it! The trend of this great nation never has been changed, or never will be changed by assassination. Oh, the wantonness of it, that a great and good man should lose his life and a nation its President for naught but the carrying out of the insane propaganda of a few degenerate and criminal minds; and oh, the sorrow of it, crushing the hearts but not the hopes of a mighty people, whose indignation will descend upon anarchism and them that teach its doctrines with a force that will at last stem the tide of its ravages, if it cannot wipe it from the face of this fair land! We have too long unheeded the scourge of anarchism, under the delusion that the healthy body politic of a free republic was immune from the inroads of its germs. Resting under the asylum of our democracy, it reared its head and struck its venom at the powers of the old world, without awakening us to a sense of its danger; but when it turned and deliberately struck at the very heart of freedom we ought to be aroused to duty and action. Why should we hesitate to wipe out a band of murderers any more than a den of thieves? Why should we hesitate to distinguish between freedom and license? Why should we not define this evil, legislate against it as we would against any other form of evil? And if we so legislate, we must not feel that our whole duty is done. We can legislate against an open advocacy of these nefarious doctrines. We can legislate against the admittance of persons known to hold them, to our shores; but we cannot prevent by legislation, ideas, or principles, or lack of principle, coming from other lands, or growing up in our own. For every meeting among the class of people who listen to and absorb the doctrines of anarchism there should be a greater number teaching the principles of free government, and for every anarchist pamphlet circulated among them there should be an offset in one conveying the science of true liberty.

The Sisters of the Church, or the Salvation Army, goes down to the lowly, the ignorant, the weak and the vicious, reaching them through its deeds of mercy and carrying to them the gospel of truth, while the gospel of freedom in the Constitution of the United States is laid away on musty shelves and never reaches them. Democracies are not irreverent towards God, but are towards men. Authority and office have little sacredness for

them; they see but the man, whether he be in high office or out. They do not readily distinguish between the man and the position he occupies; the position itself commands but little respect. This is the American defect. The President of these United States is the personification of authority vested in the government, and always entitled to our respect whether we differ from him or not. It is the inculcation of this respect for men holding high offices of the government with which we most need to concern ourselves. This may be done without any sacrifice of our spirit of independence and will afford the strongest safeguard with which we can surround them.

Turning from this imperfect review let us note briefly a few of the more important phases of the work which demand consideration. We have reached a point where a more scientific study of criminals would be of value. At a former congress of this Association a committee was appointed to investigate the subject, and a partial report was made by them at the last congress in Cleveland. In that report they recommended a series of laboratory experiments with criminals with a view of gaining a clearer insight into the causes of criminal tendencies, and submitted a plan of investigation, and further report is expected at this session. Whatever the results of such observations may determine in regard to the criminal class, the especial value must consist in a more thorough analysis of the individual criminal, which cannot fail to be of the greatest value to those who have his training particularly in hand. By obtaining a more accurate knowledge of the abnormalities which predispose to criminal tendencies, better methods for dealing with the criminal may be devised.

The Bertillon system of measurements for the identification of criminals has been introduced into many of the prisons and some of the police departments of the country. The accuracy of this system as a means of identification has been thoroughly demonstrated. To make it effective a central bureau should be established, national in scope. Senator Vest introduced a bill in the United States Senate, December 14, 1900, which was referred to the Committee on Judiciary, where it is now pending. Its title is "A Bill for the Creation of a National Bureau of Criminal Identification." (Senate Bill, 5,182.) The establishment of a

national bureau as contemplated by this bill will make it possible to determine the habitual criminal in whatever section of the country he may be arrested. Pending action by Congress, General C. V. Collins, Superintendent of Prisons in New York, has undertaken a collection of measurements from the different prisons and police departments using the system, to become a nucleus for a central bureau, which can be turned over to the government should the bill become a law.

The indeterminate sentence law has been enacted in a number of states. Its principle is accepted by most of the prominent penologists of the country. So far, a maximum limit has been fixed by statute. Under its existing form it is a compromise with the determinate sentence. If this law is to have its full efficiency this maximum limit should be removed, that the habitual criminal need not be released without evidences of reformation.

For the successful operation of advanced prison methods for dealing with criminals, the administration of prisons must be given a degree of permanency under a qualified supervision, which has not always prevailed under the system of political appointments. If our prisons are to be administered for the protection of society, the reformation of criminals, and a due regard to the rights of the honest individual, the prison officer must be selected for his fitness rather than his politics. The future prison is to be of a higher standard and a greater force in dealing with crime than ever before, and will be administered by men of special and superior qualifications. It will demand

"Strong minds, great hearts, true faith, and ready hands;
 Men whom the love of office cannot kill;
 Men whom the spoils of office cannot buy;
 Men who possess opinions and a will;
 Men who have honor; men who will not lie;
 Men who can stand before a demagogue
 And damn his treacherous flatteries without winking;
 Tall men, sun-crowned, who live above the fog
 In public duty and in private thinking."

ADDRESS BY MR. CHARLES J. LONG.

Another year of the work of the National Prison Association of the United States will soon be completed to testify to its stability, usefulness and its charity. With its representatives from every state of the Union, showing no narrow distinctions of

dividing man from man and permitting strong convictions to have their earnest expression as to politics in matters pertaining to prison affairs, we see the Association steadily devoting itself to the uniting of the citizens of this country into a bond of brotherhood, for the purpose of inculcating the purest principles of philanthropic penology, and through this influence teaching to many who need such instruction, some of the neglected duties of American citizenship.

This National Association seeks to accomplish this higher mission by educating its members through its work in the several State Associations, by the spirit which it infuses, by the principles which it carries into practice, by the moral and intellectual tone which it inspires and imparts in its social gatherings, by the instruction which it affords in the lectures given under its auspices, by the deeds of charity and benevolence which it inculcates and by its earnest endeavor to indelibly impress upon the public the importance of its mission for the advancement and improved conditions of society, marks it as being one of the true agents of civilization.

And it is only now that the Association is beginning to realize the great possibilities in store, only now that the revelation of future greatness, of the spread of blessings for down-trodden humanity, not dreamed of in the past, can be in reality comprehended, and no State in the Union extends a broader sentiment and practical illustration for renewed vigor and a final realization for the promotion of the highest interests of humanity than our grand Commonwealth, the Keystone State of the Nation, Pennsylvania.

Here in this central city of the Union, the metropolis of new and reconstructed energy, surprising and bewildering as the collection of the evidence of human genius and energy is in this great gateway to the West, the wonderful development and growth of this vast country with populous cities stamped as it were out of the ground, everywhere schools, colleges, churches and temples, libraries and museums of art, not to speak of the grand public structures in which the business of the people is transacted, here in this city under auspices most favorable, in the midst of an audience most sympathetic, it seems right and proper that we congratulate ourselves on the assured progress in the civilized world of principles of prison reform, and particularly

should we feel grateful to the efforts of those men who have exerted themselves to promote public sentiment and to enlighten public opinion concerning the prevention and treatment of crime, and to feel inspired that the newly chosen delegates cheer us by their willingness to participate in the discussions which follow the addresses at these meetings. But above all else should we feel conscious that the general interest and success of associations like these have been due most largely to the public spirited men and women who have generously devoted their thoughts and time to the treatment of topics chosen for consideration.

It is a great privilege, meeting as we do, as representatives from the various States of the Union, imbued with enthusiasm in our efforts; and it is certain that we are dealing with the central problems of this modern age. This revival of the fitness to survive of the degraded and outcast, and the unfortunate and defeated in life, is the new science for whose reforming power the world is waiting, and whose advocates it is our happy privilege to be.

In an audience thus composed I do not presume to come with any word of practical advice. I do not propose to offer counsel upon prison reform to those who have devoted special study to the subjects under discussion, for all such questions of past history of reform associations, or present administrations or future program. We are assured of listening to wise counsellors from the many states of this Nation, and I do not anticipate the themes which are to be presented to us in these interesting days of our meeting. And yet, in these varied deliberations, it may be well for us to pause a moment in the region of the more general thoughts and harmoniously go together over the whole range of the work which these general questions suggest.

What is this phenomenon of prison reform? What is the nature of this field of service which we see stretching away about us on so many sides? How can we define the work with which modern society undertakes to deal? What is this great problem of prison reform,—and the first and most general answer to these most general questions is this: That the prison problems in the modern world are a vastly larger thing than either the name or the history of the subject might lead one to expect. It has been said that if there be advantage in the contradiction of criminal codes of the different states and the prison system attached to

them, there is some advantage in the fact that the different states are making experiments along different lines concerning the reduction of crime and the treatment of criminals. If there is a wide diversity of practice in the prison administration of the various states, it may be said that prison reformers have come to a general and even warm and positive agreement concerning the fundamental principles of prison reform. These principles may be briefly stated. First: The protection of society, and second: The reformation of the prisoner. As to how these principles are to be applied and these ends attained, prison authorities differ, but that these are the ends to be worked for, they earnestly agree. It is a well defined truth that the protection of the community demands the reformation of the criminal, as well as his punishment; that the state owes it to itself, as well as to the offender that the period of incarceration shall be used for this purpose, and that no man shall be returned by the State to the community until there is a reasonable probability that he will live an orderly life. It is therefore necessary in order to obtain an advance in legislation, and in administrative measures to teach a large number of persons about the evils existing, the magnitude of the ends involved, and the wisdom of the remedies proposed. A well known authority has stated that if in our own country a comparison were instituted between the jails and prisons prevalent at the beginning of this century and the newer structures of our own day, the comparison would show the striking progress that has been made. The progress of prison reform is nowhere more to be seen than in the new types of prison construction of to-day. Buildings that are thoroughly ventilated, lighted, heated and constructed on sanitary principles have taken the place of the dark dungeons which prevailed when John Howard, the pioneer of prison reform, began his remarkable work and gave its greatest impetus in changing the physical conditions of modern prisons.

The working of any system is best seen by examining its practical administration. It is an admitted fact that it is of much greater importance that the prisoner receive industrial knowledge or training for the betterment of the individual than the mercenary results of productive labor. As a feature of educational work it has been tersely stated that industrial knowledge opens up avenues to many who would be glad to walk in them, who heretofore have been ignorant of such pathways in life. The zest of

the men in the industrial schools as they gain knowledge of the trades is the sign that a right measure for reformation has been found. When men find that they have the ability to do honest, skillful work, they will be inclined thus to work and thereby be enabled to live honestly, as they were not sure to do when they had no industrial knowledge or skill.

It is but recently that there is a rapid growth in the demand for information regarding the treatment of criminals. The literature of the subject was not readily available to the ordinary reader, and although the special associations of the states published a great amount of printed matter on special subjects from those whose opinions are among the recognized authority on the subject, from men of large practical experience in the administration of prison affairs, it must be admitted that the literature of crime questions has been very meagre, and students have not been able to secure information easily, and therefore there still exists some ignorance of the subjects in regard to the issues involved, showing indifference by the public to progressive measures of this nature, and barring in a measure the creation of a better public sentiment and an intelligent and earnest demand for progressive reform movements. I would therefore urge upon you that the proceedings of these associations should receive wide publicity by the press, throughout the country, and be commented upon, so that the knowledge can be widely disseminated through the popular channels, reaching the people more directly in their every day life, showing that the ideas which these associations stand for are in full accord with the aspirations of the age, so that the rising generation may take a deeper interest in the proper cultivation of these ideals.

It is recorded that the National Prison Association of the United States was a direct outgrowth of the New York State Association, which had been organized to study the conditions of society, expose evils, correct abuse, and to enlighten and arouse public opinion, and, as we are informed, that it was one of the Secretaries of the Prison Association of New York, the late Dr. E. C. Wines, who, with the support of the government of the United States, aroused the humane sentiment of Europe, and with the co-operation of penologists of Great Britain and the Continent, organized the International Prison Association, which has exer-

cised and sustained an intelligent influence for the development of penology in Europe during the last quarter of a century. And it will at once be seen that the importance of work in the Association is commanding a recognition never before accorded to it, becoming a distinct field of labor in the hands of earnest men and women, who are giving it the best available thought upon such subjects as "How to enlighten the public opinion concerning the prevention and treatment of crime," "To secure the improvement of penal legislation," "To protect society from habitual criminals," "To befriend the innocent and ignorant under accusation," "To promote the welfare of those placed on probation by the courts of some states," and also the families of the prisoners, "To assist prisoners in the work of self reformation," "To aid released prisoners in living honorably."

It is held that the changes in the attitude of the State towards the criminal make necessary a change in the attitude of the community. So long as the state merely punished the offender, the good citizen had little to say or do with the crime question. The work was one for prison keepers; it must be done within prison walls; but the community has a share in the new work now accepted by the states as a duty. It is therefore that the plan of systemized charity, which cultivates independence instead of dependence, is a step in the right direction, offering preventive and curative methods to alleviate the misery of the unfortunate and to work constantly towards such improvement in circumstances, so that the number of the miserable and the criminal class shall diminish day by day.

No thoughtful man who considers the progress made during recent years and weighs the present position and the prospect that has been opened can be in doubt that associations like these contain the elements of a great, beneficent and moral regeneration amongst the people of our country, and it is therefore that institutions for the diffusion of science and for charitable purposes all come within the province of our aim. But it must be admitted, besides other prison problems which interest those who view crime from the standpoint of the philanthropist, that the enormous cost of crime makes the special appeal to the business men and taxpayers. It is stated by eminent authority that to encompass the scope of this subject in terms of figures is of course

impossible, but it may be useful to estimate the pecuniary weight of the burden borne by the people of the United States by reason of crime. The financial stress and struggle of modern life are extreme even under favorable conditions. To relieve this pressure is the constant aim of philanthropy, and whatever increases the burden is an evil appealing to all practical minds. The cost of crime is an element pervading the whole budget of taxation and entering into its every department.

With this meagre interpretation of the distinctive sphere, magnitude and enlarged scope of the influences of the enthusiastic and educated classes, who can refuse to confess the debt which every organization that has done anything worthy of remembrance owes to itself, and which every organization, swayed by generous sentiments and mindful of its own best interests, can refuse to pay to individuals who set before us by their industry, perseverance and intelligence, examples of an enlightened public spirit. If the past has any lesson to teach us upon the subject of reform, it is a lesson of encouragement and hope. If we have anything to learn from experience, it is before all else, the lesson that when the desire for improved conditions rest on public opinion, when the final appeal comes to the reason and intelligence of men, when above all the great majority are prepared by a widely diffused common education to entertain this appeal to pass a judgment on the great issues continually brought before them, then it is that we feel assured that such associations as these are invigorated with new life as we come more and more to view them as arenas for the discussion of whatever concerns the supreme interests of society. What greater incentive can be imagined to take up with renewed energy during the sessions of this congress the work of prison reform, so auspiciously, but modestly begun, so successfully carried through for a very few years, and so wisely guided for a final realization, to unite the best equipped minds for the promotion of the highest interests of humanity. Must not the heart of every member of this Association be filled with joy and gratification to know that the citizens of the youngest country have been blessed with the privilege of becoming the pioneers of this grand work, yet in its infancy, but potent of the most magnificent dimensions, of man's ultimate redemption?

We are therefore inspired with the hope that this great work will continue to bear fruit, that it will attract thousands who stand outside with folded hands while the good work goes bravely on, and that its future will be as bright with promise as its past has been productive of beneficial results. And, in the language of the poet, we stand on the threshold of a new age which is preparing to recognize new influences. The ancient divinities of violence and wrong are retreating to their kindred darkness.

There's a fount about to stream,
There's a light about to beam,
There's a warmth about to glow;
There's a flower about to blow
There's a midnight blackness changing
 Into gray;
Men of thought, and men of action,
 Clear the way.

Aid the dawning, tongue and pen;
Aid it, hopes of honest men;
Aid it paper; aid it type;
Aid it for the hour is ripe;
And our earnest must not slacken
 Into play;
Men of thought, and men of action,
 Clear the way.

SUNDAY—MORNING SESSION.

The annual sermon before the Congress was delivered by REV. S. M. NEEL, D.D., Pastor of the Central Presbyterian church, Kansas City, Missouri.

"Think not that I am come to destroy the law or the prophets; I am not come to destroy but to fulfill." Matthew v, 17.

"For God sent not his son into the world to condemn the world, but that the world through him might be saved." John iii, 17.

I have thought, my friends, that this was an auspicious time to have our attention called as vividly as possible to the truth that Jesus Christ was the great expositor of law. He recognized law and he recognized God as the author of all law, all right law, and all authority. It is a familiar truth known to us all, that the Jews at the time of the coming of our Lord supposed that some great temporal ruler was to come to give glory and power to the Israelitish people. Our Lord is correcting this conception of the object of his coming into the world. In His Sermon upon the Mount, and in this phrase that I have chosen for my text, He tells them not to expect any such thing; that he had not come to destroy the law, but for the very opposite purpose, to fulfill the law.

Jesus Christ was always constructive. Infidelity is always destructive. Christ was always building and aggressive. Infidelity is always assaulting with a view to tearing down and destroying, and that is to destroy law. Christ had a supreme regard for it and He came from heaven for the purpose of saving men but not by the destruction of law. The law of the Lord is perfect. Being a perfect law, to change it even to save the world would tarnish the throne of God, which would be the worst form of anarchy. Anarchy is the destruction of government, the abrogation of law, and that means hell.

Throughout the Scriptures we have the truth held before us that God is our Sovereign, not only a Father, but a sovereign and the source of all power and all authority. And being a holy God, a just God, and a merciful God, whose character is summed up in

that one expressive word God is love. His laws are all founded in wisdom, benevolence and kindness. In a word they are the most perfect laws—I speak with reverence—that God himself could enact for the government of mankind.

Now we are told the story in the earlier part of the Old Testament Scriptures that all the sorrow that has come to mankind has come through sin, through disobeying God and transgressing God's law. But for that there never would have been a human sorrow; never a bitter tear would have been shed, nor any anguish in the world. In the very necessity of the case it is true that the wages of sin is death, for sin is departing from God, the source of all that is true and beautiful and good. That is sin. That is the explanation given to us in the Word of God for all the sorrows that we see in the world to-day, all the evils of the world, and I submit confidently, that there has been no other solution propounded by any philosopher or sage that meets the demands of the case as this explanation does. Sin is any want of conformity unto or transgression of the law of God. We are not so Utopian as to believe, or dream, that the day will ever come, 'till the judgment shall have settled all things, when there will not be trouble and sorrow is this world of ours.

Christ when he came—came not as a reformer, but as a Saviour, not however, through the abrogation, or the lowering, of the law. Now if there is any one thing that our American people need to know it is that righteousness exalteth a nation. It is righteousness that underlies the very foundation of the throne of God. Righteousness must be upheld. When our President was assassinated, everywhere throughout the land as of one man, rose the voice of the people demanding not vengeance on the unfortunate man who fired the fatal shot, not that punishment should be inflicted upon him, but that righteousness, law, should be upheld and the authority of government vindicated. Don't you see? There is nothing harsh in this. It means the life of the community, the protection of the home, liberty and everything dear to the human heart, that righteousness-rightness—holiness, truth, virtue, should be maintained. I can confidently challenge any man to put his finger on any utterance of Jesus Christ, or of any writer of the Old or the New Testament, that puts a discount upon law. Everywhere law is revered, law is king. That nation has

progressed farthest in civilization that has the best code of laws, executed and carried out most perfectly.

Now Jesus Christ came to save. I have come to save not by destroying, but by fulfilling law. He says not a jot shall fail 'till all be fulfilled. I may be addressing some who may think it a little old foggy for me to say that He came to save by fulfilling all righteousness and atoning for sin, but that is the very core of the Gospel, and in that Christ's love is fully set forth. For me the prisoner of sin, for me the helpless prisoner, bound under law, Christ bore the penalty of my sins on the cross and as I stand by that conception of God's great love for me I can look into that face of His and remember that among His other names He delighted to be called the "friend of publicans and sinners;" that He sat with them at meat, that He mingled with them and that He said upon this earth, "I came not to call the righteous, but sinners to repentance." When I look on love in action like that it challenges my heart's supreme affection and I cry out, "My Lord and my God!"

The following incident illustrates the truth I have enunciated; "Recently in a New York court of justice there was an application for a writ of ejectment against a tenant who had not paid his rent. When the defendant's name was called a little girl, of eight years of age, arose and answered. "Who are you?" asked the judge. "Mr. Swartzman's daughter." "And where is your father?" "He is sick." "And your mother?" "She is sick, too." "Have you no brothers or sisters?" "They are all younger than me." "Have you the money to pay the rent?" "No, father has been sick so long that he could not earn it." Now here was a predicament for an honorable judge. On one hand the majesty of the law must be maintained. The rights of property must be observed. Goldstein, the owner, demanded his money and had a right to it. On the other hand, there was that little girl! The judge was a man, as well as a judge—a father most likely, as well as a man. Could he launch the stern edict of the law against that helpless child that stood before him? The law was one thing, and humanity just the opposite thing. What is a judge, who is also a man, to do? Why, bring in an expedient outside the law to satisfy both law and humanity. He pauses for a few moments and then says to the clerk, "Julius, pass the hat." And the hat was passed to the officers of the court, to attorneys, witnesses and

spectators—and when it was returned there was enough to pay Goldstein's claim, and a little surplus was put in the hand of the grateful child. The law was satisfied, and yet mercy had a free course."

Necessarily difficulties arise in attempting to adjust our thoughts with the thoughts of God. After we shall have been in heaven ten million years there will still be mysteries about it because we shall forever be finite. That is not because there are difficulties in God's mind. The difficulties arise out of the sinfulness and limitations of our own minds.

Here is Christ saying the law must be maintained and here is the sinner, and the edict has gone forth, "the soul that sinneth it must die." What does God do? He so loves the world that He gives His only Son that whosoever believeth on Him should not perish but have everlasting life. Jesus came into the world not to condemn the world but that the world through Him might be saved. Don't you see? Now you have it. He maintains with the right hand of His Almighty Son the majesty of the law, who swears by the Eternal that His throne shall never be touched with an effeminate pity, and with His left He reaches down to those who are in the prison house of sin, bound in its fetters, and puts His arms round us and says "Whosoever will, let him come to Me; cast your burden on Me and I will carry it." O, I love to think of that verse, "The blood of Jesus Christ His Son cleanseth us from all sin."

Now righteousness and peace are met together and, thank God, we are saved. There you have it. Now why does man quarrel with that? Why do men resort to any device they can and talk about the injustice and unkindness of God? We never could have known the depth and the height and the length and the breadth of the love of God, His coming over the mountain of our sins, altogether unlovely in His sight. He seeks us notwithstanding our sins and says to us like a loving Father, "I have sent my Son to seek you and to save you," but not at the sacrifice of law, thank God. Who can quarrel with that? He maintains the law, but He honors you and me and says to us, "No more shall you be called servants, but you are My sons."

Now, that is the Gospel as I understand it. Listen, and do not misunderstand me. I read as our lesson this morning the account of the judgment given in Matthew the 25th chapter. All

men who read that account given by our Saviour, are impressed with the emphasis laid on the ministering or failure to minister to those in prison and to the sick and needy. "Come ye blessed of My Father," and to those who had not so ministered "Depart from Me." I agree with the lamented Broadus in his comment on that Scripture that is the fruitage and bloom of our holy religion.

Religion terminates in conduct and conduct results from character and character from truth believed. We should guard against mere sentimentality. There is a great difference between sentimentality and sentiment. I have little sympathy with the man without sentiment. Sentimentality is the miserable counterfeit of the noble sentiment of a man with heart. I could pray God to blast your society if you are to inculcate that sentimentality which sends to the man who has imbrued his hands in his brother's blood syllabubs and American Beauties and La France roses or send your girls in their sweet innocence to minister to bloody men. That is sentimentality run mad and our women who do such things ought to be told sternly to stay at home and attend to their own affairs and not seek notoriety in that sort of thing. This is what does the harm. Boys and girls read about such things in the papers and see what heroes are made of the men whose conduct and crimes should be made odious, and undertake to imitate such men.

I want to remind you in this connection that it is impossible for me or you to conceive of a more kindly being than the Son of God. He stood for righteousness and truth. The truest and the bravest are the tenderest. When we need mercy shown we go to the men or women who stand for principle and will never yield in order to relieve, but standing for right they are kind to the erring. So that back of all this going into prison and into the sick chamber are these truths and principles; the love of Christ constraineth us. Then I run with delight, with alacrity, with pleasure, with joy, in the way of His commandments to "love mercy." The highest motive that can actuate a human soul is the glory of Christ; that I can give a cup of cold water, not out of pity, merely, but for Christ's sake, and the recognition of the fact that fallen as man may be, covered with crimes as he may be, even in his ruin there are traces of his ancient grandeur, if I can bring him in touch with my Master that touch will make him whole. The blood of Christ is the only alchemy that can wash his sin

stained soul, and His blood, thank God, cleanseth from all sin. It whitened yours, it whitened mine, and we are what we are by the grace of God. There is no room for boasting here.

If we want to know how to do in this matter of helping the prisoner, let us get into sympathy, into fellowship with Christ, appreciate the worth of the man as man, cultivate the habit of rightly estimating the value of a soul, so that whenever we meet a man we feel like taking off our hat because he was created in the image of God. Effaced now, blurred, we still trace the lineaments of his former greatness as a son of God. Christ thought it worth while to leave His home in glory to come on a mission of salvation and when we are following in His footsteps we ask no higher duty. The man or woman that goes down into the jail, the penitentiary, or the slums of our cities, or to the heathen where they know not God, and carries the light of this Gospel is the man that Christ Himself will step from His throne to place the crown upon his brow. Thank heaven there is laid up a crown for all who thus follow Christ, and they will love His appearing. He tells us so.

Now then, my brethren, I believe my message to you is about completed. There are other topics that I would not rush into the discussion of before the venerable members of this Association, men and women with warm, loving hearts, who are veterans in all these matters. I would rather go to your meetings and sit at your feet. I know nothing but the principle I have enunciated. If we want to reach men we must love men. But you say to me, Can you love a man who is a criminal? Yes, I have no difficulty about that. I do not love his crime but I do love the man. We were full of sin and Christ loved us.

When the poor man struck down the President, who is regarded as the typical American officer, we all believed this crime ought to be punished, not for the sake of punishment, but to uphold law, not "to harm him" bodily or otherwise, but to maintain government; yet in our hearts we could pray God, whose mercy is most wondrous broad, to send the good angel to that man's heart and change it.

Now, friends, there is just another thought. You will pardon me if in loyalty to my Master I speak of it. It has been said, if the papers report your meetings correctly, (certainly it has been said a thousand times elsewhere) "Educate, educate and you have

done the work" No, there never was a greater fallacy in the world. Was not Nicodemus an educated man? Was he not a man of culture for his age, a man of refinement? Everything about him indicated that, except the cowardly act of coming to his Master by night which we should not censure too sternly in that age—yet what did the man of Nazareth, the Gallilean, say to him? What you need, Nicodemus, is not culture, but to be born again.

You remember another illustration of this vital truth that if the sow being washed, she will go back to the mire and wallow again, because she is a sow. How then can we keep her out of the mire? Make a sheep of her, change her nature, but until you have changed her nature no matter how highly educated, she is still a sow.

Do not misunderstand me. I grant you all the appliances that would go to reform men. You can do a great deal, but how can you do it?

I have been thirty years trying to reclaim drunkards and others, but you can not do it until you inspire self-respect and hope. Never. You know, not only from the teaching of the Scriptures but from experience, that when we approach men astray from God we must give them something upon which to base a hope. We say to them something that will inspire self-respect. If we don't we might as well be singing songs in deaf ears. That is it. Now I have come to the point that I want to say something.

Not very long ago a man, well-dressed, evidently well-educated—indeed, he told me that he was a college graduate and gave the name of the college, and his bearing bore out the statement, as to culture and refinement—came to me. He said that he had been three years in the penitentiary and that he wanted me to help him. I took him by the hand and said "I want to help you. You are the man I want." "All I want is work," he replied," but he made it a condition that I should not let any one know that he had been in the penitentiary. I may be wrong, but this is what I said to him: "Friend, I can not do that. The friend to whom I apply for work for you is entitled to know the facts about you and besides the facts will come out and your case will be worse." He said that if I were going to insist on that that he would rather I would not touch the case. I said "I believe I

can do you good." He said "God knows I am honest, that I want to do right and earn an honest living. God knows that."—and I believe the man was honest in his intentions, but I have been fooled so often that I am now cautious about reaching conclusions in cases like this "but if it is known what my past has been I shall be snubbed everywhere."

This, my friends, is a sad comment on the low state of our Christianity. Why should a man because he has made one mistake, why should a man because he has gone wrong, be told by society to go to the devil? I want to read a little extract from Dr. Parkhurst on this subject:

"To be a Christian is business as well as pleasure; it is occupation as well as luxury; it is stout performance as well as holy exercises; it is belonging to the front rank of society, but marching with the rear rank, and helping to carry the knapsacks of those that are tired; it is being respectable ourselves and fostering respectability among the disrespectable; it is surviving because we are fit; and it is taking those that are not fit to survive and making them fit. Loyalty to Christ means carrying forward in our century the work he began in His; not only worshipping Him on our knees, but working with Him on our feet; not only keeping up with the rush of the times and the push of necessity ourselves, but helping to keep in time and in step some poor stragglers that have fallen out, and have no heart and sound legs to keep up with."

That is Christianity. Now we bow at the feet of Him who when He came into the world found little children pushed aside. He said to the multitude, "forbid them not." He took the little ones in His arms, put His hands on their heads and blessed them and said "of such is the kingdom of heaven." Yet He was the one who stood for righteousness. He saw woman's degraded attitude to men and said to her and to all men, "Let her take her proper place by your side as your helpmeet, the maker of your homes, the solace of your life in your struggles, your counsellor, your adviser, your helper, your equal." He reached out across the gulf that divided race from race and said from centre to circumference, all men are brothers. He taught us that one touch of nature makes the whole world kin. He said to us the black man is your brother, the yellow man is your brother, the red man is your brother, the man of the far frozen north is your

brother, the man of the far burning sands of the south is your brother. They have all the dignity of manhood. In every way possible lift the standard of mankind, but always bear about you the marks of the cross. Let all men understand that the fountain source of excellence, what you are in character, in piety, of broadmindedness, you have gotten from Christ. Carry the badge of the cross not externally, but in your heart, and your heart in your palm and go to the man with your own pleading, earnest Christ love. Visit the prisoner in his cell, the poor man in his hut, the downcast, the disheartened, the discouraged. Give counsel, lift the burden if you can in the name of Christ. Go with kindness on your lips to those in sorrow and distress and He who is the Light of the World will shine on your pathway and in the future the glittering crown and the royal plaudit "Well done, good and faithful servant" will be yours. And men will take hope and will swear by the dignity still remaining, but most of all by the beauty and love and attractiveness of Christ, "God helping me I will henceforth lead a clean, pure, better life and meet you in heaven."

SUNDAY—EVENING SESSION.

The third session was held in the Grand Avenue Methodist Episcopal church Sunday night. After devotional exercises the pastor of the church, REV. W. A. QUAYLE, D. D., welcomed the Congress in a few hearty words, but declined to make any address. He invited the President of the Congress, MR. JOSEPH F. SCOTT, to preside. MR. SCOTT introduced as the first speaker SUPERINTENDENT J. A. LEONARD, of the State Reformatory, Mansfield, Ohio, who spoke as follows on

THE MODERN TREATMENT OF THE CRIMINAL.

When Victor Hugo, with inspired genius, created that greatest of dramas, "Les Miserables," and made Jean Valjean, the repentant criminal, to play the role of leading character, with Javert, the embodiment of retributive law, and the good Bishop, the incarnation of Christian philanthropy, as the chief factors in the hero's career, he made possible and necessary the modern or reformatory, treatment of the youthful criminal. This great work enlightened the understanding and aroused the conscience of the people of every Christian land. It is at once a classical text book, and a source of inspiration for those who would labor to reclaim the criminal.

This reformatory movement springs from a clearer perception of the relations existing between society and the individual, and a better understanding of the mutual obligations arising therefrom. It is based upon Christian ethics which takes cognizance of both the law and the gospel. It holds it to be the chief concern and the fundamental function of society to prepare the youthful individual to become a co-operating factor in all social effort, and an appreciative sharer in all social benefits. To this end civilization has evolved institutions, as, the home, the school, the church, and government.

It so happens, however, that many fail of the wholesome formative influences of one or more of these character building institutions. This failure may arise from unfavorable conditions

over which the individual youth has little control; or, the failure may be traced largely to subjective tendency to wrong doing or a perverted will. But be the responsibility where it may, the result is the same. The neglected and vicious youth is unfitted for social assimilation; in fact, he is apt to grow anti-social, prone to commit offenses, and finally becomes an irritating foreign body in the social organism, disturbing its comfort, lowering its efficiency, and threatening its safety. Society must, then, in accordance with the first law of nature, take steps to protect itself.

In order to secure this protection all manner of methods have been employed to rid itself of offenders; imprisonment, fines, tortures, disqualification, banishment, and capital punishment.

In modern times imprisonment, which was originally not considered as a punishment, but the means of detention pending punishment, is now the penalty imposed in more than ninety per cent. of criminal cases. We could, therefore, properly discuss our subject under the head of "Modern Treatment of Prisoners." Until a comparatively recent period imprisonment for punishment by deprivation was the dominant idea in dealing with the criminal; and protection to society by imprisonment as a deterrent means was a secondary consideration. But through the softening influence of Christian altruism these ideas have changed their relative positions. For fifty years past punishment and revenge have given place to the worthier aim of the protection of society as the ultimate end of all penalties. Imprisonment for the last fifty years has been justified on these grounds, but experience teaches that mere imprisonment for protection or as a deterrent is not largely effective. Short term imprisonment for habitual criminals is analagous to caging man-eating tigers for a brief period and then turning them loose to again harry their human prey. Life imprisonment without regard to the degree of crime as an alternative shocks the moral sense and is therefore out of the question. Just at this point when our penal system threatens to break down, the reformatory method is offered as a solution.

Fundamental to this plan is the belief that it is in the power of man to cease to do evil and to learn to do well; that under proper influences and conditions most men will mend their ways; that the failure to reach fallen men or criminals is as much due to lack of resourcefulness on the part of those striving in their behalf as to perverseness or total depravity of the criminal.

Another fundamental belief at the foundation of the reformatory system is, that society as a whole is more or less responsible for the criminal. We would not relieve the individual criminal from strict responsibility for his wrong-doing, but at the same time would rouse society to a quickened sense of its own responsibility as constituting his moral and social environment, the defects of which are in a measure, responsible for his criminal bent.

It then becomes a matter of public conscience, not only to bring the criminal to account, and restrain, and punish him, but to afford him every opportunity to rehabilitate himself as a man and to readjust himself as a citizen. Hence the reformatory as an institution.

The ideal reformatory being a place of detention is necessarily a prison. The young men committed to its care or keeping should consist of three distinct groups.

1. Youthful first offenders from the age of, say sixteen, found guilty of penal acts, but who, in the judgment of the courts, are not of criminal bent, and whose arrest and conviction has brought them to a realizing sense of their danger and contrition for their faults, and whose home influences and general conditions are such as to make for their reformation. These should not be confined but entered upon the reformatory rolls under suspended sentence on a year's probation. The reformatory officers should exercise a friendly surveillance and sympathetic guardianship, and for this purpose have the reformatory field officer visit them and make monthly report of their conduct and progress. Any of these found repeating criminal conduct should be promptly committed to the institution while those serving their probation in good faith should be discharged from the parole custody of the reformatory without prejudice. To introduce this feature of the ideal reformatory it will be necessary to obtain additional legislation, but experience and observation strengthened by the opinion of those long engaged in the work leads to the belief that this probationary feature should be added to the reformatory system without delay.

2. The second group should consist of those actually in the custody of the institution, confined within its bounds. They should be young men between the age of sixteen and twenty-five or thirty, convicted of a first penal offense and who are found, in accordance with the evidence, to be of criminal bent, and of bad

habits, and associations, yet who in the judgment of the court will prove amenable to reformatory methods. They should be committed to the institution on indeterminate sentence, the time of their confinement depending somewhat upon the character of their offense and previous record; but largely their stay should be determined by their character and disposition as manifested by their conduct while in the institution. This should be emphasized so that inmates would no longer speak of "doing time" but rather dwell upon their record and standing.

3. The third group in mind are the young men who show themselves amenable to the reformatory methods and are found worthy of release on trial. This parole period of a year should not be regarded by the young man, their friends, or society at large, as a stigma. It is in fact a mark of approval expressing the confidence of the officers of the reformatory in their character and conduct and carries with it the belief that they are worthy the confidence of society at large. Those on parole are under the sympathetic guardianship of the reformatory officers. They are visited by the parole officer whose duty is not that of a persecutor or unfriendly critic, but whose mission is one of helpful direction. Those who prove unworthy of parole are returned to the institution, without expensive process of law, while others who show themselves deserving the confidence reposed in them, receive their final release and are restored to full measure of friendship.

The most difficult part of reformatory work is of course the proper care and training of those actually committed to the institution. The young men received at the reformatory should not be met with a degree of sentimentalism that results in pampering pity. Neither should he find over the door of the institution the legend Dante discovered over the entrance to hell: "All hope abandon ye who enter here." At the worst a reformatory should be but a purgatory, the pains of which make for cleansing and restoration. While he is a prisoner, he is what the prophet calls a "Prisoner of hope," and he is bade to bring "Cheerful Hope along." He is encouraged to strive and to deserve, in order that he may enjoy. He is taken from the larger world into the smaller prison world. His habitudes are recast. All his waking hours are to be given up to profitable activities under direction.

The reformatory is first of all a sanitarium and a retreat where through abstinence from tobacco, other narcotics, drugs,

and strong drink, and by the proper observance of cleanliness, exercise, diet and hours of rest, inmates are restored to physical vigor, which is a necessary condition to moral regeneration. The reformatory is also a school in which every inmate not mentally incapacitated should be required to pass an established standard as a necessary condition to his parole. It is also an industrial training institute. The ideal reformatory should have trade schools, in which from fifteen to twenty skilled occupations are taught and each inmate should be required to attain to a certain degree of efficiency in some skilled trade before being released. Boys convicted of crime and sent to reformatory institutions are found as a rule to be lacking in education, habits of industry and manual skill; a long stride is taken toward reformation when a boy discovers that he possesses powers that enable him to succeed in school, or manual skill that enables him to turn out work that commands approval. A proper reformatory institution of course should emphasize moral training. This is provided for in a general way by progressive classification of prisoners based entirely upon their conduct, each grade being clothed in distinctive uniform. On entering the institution the inmate is placed in what might be called the "Neutral Grade." This he enters without prejudice growing out of his commitment to the institution. If his conduct be satisfactory as to study, industry, and behavior, he moves on in due time to the "Positive Grade," in which there are three degrees, to the highest of which he cannot attain on a negative record of simply refraining from evil, but only on the grounds that he is a positive influence for good and sustains the highest ethical relations to all those with whom he comes in contact. This renders him eligible to parole at the very earliest time consistent with the rules governing the institution. If on the other hand after entering the neutral grade, his conduct becomes unsatisfactory, he falls back to the "Negative Grade," in which are three degrees, the lowest of which is "incorrigibility," which renders him liable, under the law, to be transferred to the penitentiary.

A true reformatory system should make the most of moral and religious instructions. Regular religious services, including Sunday school instruction, should be regularly conducted. A resident chaplain of ability, zeal, tact, and wisdom, should have the absolute freedom of the institution so that he may become an

intimate counsellor and guide to the young men which counts for as much, if not more, than the chapel services be they never so ably conducted.

Many other agencies, too numerous to mention, are employed in a thoroughly equipped reformatory. Inmates should be organized into a military body for the sake of the physical benefits of military exercise. Courses of lectures on history, civil government, and ethics, should be given for instruction and training for the plain duties of citizenship.

But by far the most important consideration in a reformatory institution is the moral atmosphere. It should not be tainted by anything questionable in business methods, official appointments, or the character or conduct of any person connected with the institution. It should be so electric with manly vigor as to quicken into life the latent manliness that is supposed to sleep in the soul of even the worst criminal. It should be so genial and warm with honest human sympathy as to be a balm for the hurt mind and a gentle stimulant to the dormant sensibilities of those who are at all responsive.

From this brief and imperfect sketch of the Modern Treatment of the Criminal, it will be seen that the reformatory process is not a round of transcendental nonsense, as unwise advocates and partially informed opponents of the movement have represented it to be, but on the contrary it consists or should consist, of the most practical and common sense methods. It should be characterized by thorough, firm discipline, in which there is nothing to degrade, but everything to stimulate the self-respect of the inmate. Reformatory administration and treatment, while avoiding the windy waste of speculation as to "defectives," "innate criminals," "degenerates," &c., aims through the scientific study of heredity, environment, physical, and psychical peculiarities of each individual, and by prudent experimentation to arrive at a degree of scientific precision in classification and methods.

The reformatory scheme may be briefly stated as follows:

First: Society to be protected and strengthened by curing and restoring the offender.

Second: Probation on suspended sentence; imprisonment on indeterminate sentence; release on parole for a year, as the necessary conditions for proper control.

Third: Physical, intellectual, industrial, moral, and religious training the means employed.

Fourth: Punishment in the form of deprivation and pains of recovery a necessary incident of the reformatory process.

With proper facilities and wise administration, it is believed by the best informed and most experienced authorities that at least seventy-five per cent. of young criminals may be thus reformed. To some this may appear somewhat optimistic, but the success of the New York, Massachusetts, and other reformatories has placed this movement past the experimental stage.

However, I am well satisfied that no man can effectively serve the reformatories or any other work of moral uplift, who is handicapped by the spirit of the cynic or the pessimist.

ADDRESS BY CAPT. SAMUEL C. LEMLY, LL.D.

JUDGE ADVOCATE GENERAL UNITED STATES NAVY.

Mr. Chairman, Ladies and Gentlemen: I have often been asked why I should take any part in the Prison Congress. I am not a warden, not a prison director. I have never been taken for a chaplain. My interest grows from my position as judge advocate general of the navy in which capacity it is my duty in reviewing courts martial proceedings to recommend to the Secretary of the Navy approval or disapproval and the designation of the prison to which our navy offenders shall be sent. Generally speaking they are not criminals, but offenders against the discipline of the navy which must be maintained and to that end they must be punished. I do not mean to say that we are all perfect in the navy for some do commit crime. These, however, are not sentenced to our naval prisons but are committed to the prison at San Quentin when they are on the Pacific coast, or to Wethersfield, Conn., when they are on the Atlantic coast. The United States prison at Ft. Leavenworth is open to these prisoners, but the difficulty is that being so central on the continent it is a long distance from the two coasts, so that we send our criminals to the first named.

Our two naval prisons are one at Mare Island, our principal naval station on the Pacific, and one at Boston. Here they are employed not at hard labor, but in doing what we usually call police work. That is intended rather more for their own good and health than for the results which are obtained in other ways,

although these are not insignificant in cleaning up and caring for these naval stations.

Provision is made for good behavior. If the conduct is excellent one-third of the sentence is remitted. If the conduct is simply good, then one-fourth is remitted. Profiting by my experience at these Prison Congresses a system of probation has been instituted upon my recommendation by the Secretary of the Navy and in many cases where the men might have been sentenced to from six months to a year in prison, the sentence has been suspended upon condition that their behavior during the time that sentence would have lasted shall be good. If the behavior is good, then the sentence at the expiration of its term, without having been carried out in any way, is entirely remitted. We lose nothing by it in the navy, because these men are entirely within our control. You cannot conceive of a man being kept more completely under observation and under control than a man on board ship. If his conduct is not good while he is on probation, the sentence is carried into effect. This has been in operation for two years, and while I am not prepared to give any statistics as to the result I am satisfied that it is a success. If under those circumstances we can save one man in ten or one man in fifty, the disgrace of imprisonment and possibly dishonorable discharge from service, then I think it is worthy of commendation, and the results are far better than that.

ADDRESS OF GEN. R. BRINKERHOFF.

The prison question is the greatest question before the American people. Other questions may come and go; political parties may revive the question of tariff or free trade, free silver or the gold standard and we can outlive the changes these may bring, but we can not survive if crime continues to rise. The people living on the Missouri river know that when the muddy waters begin to rise in the spring and go up and up until they reach the danger mark, unless it recedes the country will be submerged. Let me give you some figures from the census reports: In 1850 there were 6,737 prisoners in the United States, one to 3,442 of the population; in 1860 there were 19,086, one to 1,647; in 1870 there were 32,901, one to 1,171; in 1880 there were 58,690, one to 855; in 1890 there were 82,329, one to 755 of the population. How it will be in 1900 I do not know. We hope and believe that the

census will show a reduction. We dare to believe that the tide has been checked. But if it has not been checked and if we cannot control it we can count upon the fingers of one hand the decades when the republic will come to an end.

Considerable progress has been made in prison methods. In 1870 Mr. Brockway read a paper before this Congress in which he brought up the idea of a prison reformatory system and that system has been established and it is being adopted by different states throughout the country. That system under Mr. Brockway's admirable administration at Elmira showed that upwards of seventy-five per cent. of the prisoners in that institution were restored to honest lives.

We have in America four systems, the Auburn, which is in operation throughout the United States, where the prisoners are occupied in industries together, with separation at night; the Pennsylvania system, which prevails largely in Europe, in Belgium, Holland, and partly in France, where each prisoner is kept in a cell by himself. We have but one of that kind, in Philadelphia. In the south we have the lease system. It was a bad system, but at the time it was established, it was a necessity. The prisoners were leased to private parties who paid the state for their services. Thanks to the National Prison Association, the lease system is passing away. It only exists now in three or four states. In Georgia it will cease when the present leases expire.

Our fourth system is the reformatory. Young boys and girls who have gone astray are brought into these reformatories and trained industrially and educated so that they may graduate as good citizens.

Then we have the county jails and the American county jail is a horror. Its interior is improved and made sanitary but the moral atmosphere is simply terrible. If the people of Kansas City want to know what a county jail is like they can see one right here. It is not the worst jail that I have seen by a great deal. They have a worse one in Cincinnati in my own state. They have a worse one by far in Louisville and in St. Louis, but it is bad enough here. I found yesterday in the county jail here 298 prisoners. The jail is not a bad prison as constructed, but what do you find in it? From twenty to thirty people, old and young

were gathered together in one corridor, the old and hard criminal and the young man together and there is nothing that does an old criminal more good than to tell young criminals stories of crime. These jails are schools in crime. We can have no real progress in prison reform until we revolutionize the county jail. It was delightful in Great Britain to find the county jails under the control of the central government. What is the result? Many of them are nearly empty. The man who goes into a county jail in Great Britain never sees another prisoner from the time he enters until he goes out. He goes out cleaner in body and mind than when he went in. In the United States, when a man has stayed thirty days in the atmosphere of a county jail it is impossible for him to leave without being contaminated.

We found in the county jail here sixteen little boys. Little boys ought never to go into a jail. They should go to a house of refuge. The average age of the prisoners here is about twenty years.

In Great Britain every jail has a prisoners' aid association, which finds employment and looks after the men when they come out of the prisons.

We have got to go back of the prison and keep men out of it by having a probation system. Then we want to improve the common school system. We have been educating the head. Along with that we must educate the hand and the heart also.

MONDAY—MORNING SESSION.

The Congress was called to order by **PRESIDENT SCOTT** at 9 o'clock. Prayer was offered by **CHAPLAIN IMBRIE**.

On motion it was voted that a committee on time and place should be selected to be made up of members, one each, from every state and territory represented.

On motion of **MR. Z. R. BROCKWAY** it was voted that a committee of three to be appointed by the Chair to consider amendments to the Constitution to be reported at the next session. The committee was afterwards appointed as follows: Messres. **Z. R. Brockway**, **A. W. Butler** and **J. L. Milligan**.

On motion of **MR. L. C. STORRS**, of Michigan, it was voted that a committee be appointed to draw suitable resolutions concerning the late Warden Chamberlain, of Michigan. The Chair appointed **Mr. Storrs** to such committee.

On motion of **REV. J. L. MILLIGAN** it was voted that a committee on organization should be appointed. The committee was afterwards appointed.

MEETING OF THE WARDENS' ASSOCIATION.

PRESIDENT SCOTT then called on **MR. OTIS FULLER**, Superintendent of the Michigan State Reformatory, to take the chair as President of the Warden's Association. **MR. FULLER** read the President's address as follows:

PRESIDENT'S ADDRESS.

OTIS FULLER, WARDEN MICHIGAN REFORMATORY.

"Westward the course of empire takes its way," and we meet to-day in the capital of the vast western empire where corn is king and pork his prime minister. If prison reform has kept pace with the material advancement of this great empire of the west,

we of the effete east will go home with new ideas to be radiated for the benefit of our own states. If it has not we may drop some seeds that will take root in this wonderfully fertile soil, for its intellectual soil is as responsive as its great corn fields.

America has made mighty strides in its material advancement during the past ten years. Is prison management keeping up with the procession? I think that in most respects it is. I am sure that in one respect it is not.

I refer now to the political brigandage which is still prevalent in a few states—the bold, bad brigandage which ruthlessly siezes not only the prisons but all the other public institutions and holds them for political ransom. Honest, efficient, wise and humane prison management cannot reach its highest stage of development until the outraged taxpayers and the humanitarian take the ward heeler by the throat. The good citizen must stand between the state institution and the political plunderer. The good citizen must see that honesty, efficiency, intelligence, progress and faithfulness to duty have higher rewards from the people than mere ability to control delegations.

To say that a free government cannot long endure when public honors are sold for cash is “an observation on the case that savors much of comonplace, and all the world admits it.”

But a public official who buys his nomination or election with his own money is less a menace to good government than the one who buys it with the promise of such public patronage as may come within his control. When he buys it with his own money he is merely a common briber. When he buys it with the promise of public patronage he siezes your property and my property with which to pay his political debts and adds grand larceny to bribery.

Think of a great railroad, a vast manufacturing enterprise or a bank changing its management every two years because some fellow with a pull wants the job. The stockholders would repudiate such a policy; and yet they see the great public institutions put up every two years as a prize in the political game and only murmur in their sleep. The successful prison or institution manager is not born such. He is made in the hard school of experience just as the successful railroad manager is, and if the people who foot the bills would reap the largest returns from their large investments they must prevent the public institutions from being used as political footballs.

In some of the states the boards of control of the state institutions are non-partisan, both of the leading political parties being represented and the law prohibits changes of management for political reasons. This is a good law and should be on the statute books of every state.

In other respects I think the prisons of the east, west and north are keeping well to the front in the grand march of progress and civilization. They are generally clean, well heated and ventilated, have good water, sewer and lighting systems and the prisoners are comfortably housed and clothed and well fed.

The South, too, which has been the object of bitter and perhaps just criticism from our English cousins across the sea, is showing signs of a new awakening and the reports from most of the southern states indicate a healthy growth of sentiment in favor of modern methods in prison management. A new era of great prosperity has dawned upon the South and I have no doubt that the prisons and other public institutions will share the prosperity. If the advancement of the next five or ten years keeps pace with that of the last decade there will be little in the prison management of any state in the Union at which the Howard Association of England can point the finger of scorn and reproach.

But prison reform must start further back than the prisons. It must educate the law makers. It must reform the professional labor reformers. It must awaken the judiciary. It must renovate the jails. And above and beyond all it must wipe out the pernicious fee system which gives the constables so many dollars for arresting a fellow citizen, the justice of the peace so many dollars for convicting him and the sheriff so many cents a day for feeding or starving him as his humanity or avarice may dictate. Think of such traffic in human liberty in this boasted home of the free where each citizen is supposed to own a heritage of life, liberty and the pursuit of happiness. The fee system was a cloud upon the nineteenth century. It is a blot upon the fairer pages of the twentieth century. I believe the day is not far distant when every person engaged directly or indirectly in the administration of justice will be placed upon a salary basis and his financial reward for protecting the rights of the innocent will be as great as his reward for convicting the guilty. Then the shameful

spectacle of constables, marshals and justices of the peace engaged like pawnbrokers or peanut venders in a scramble for business which may involve the sacred liberties of their fellow men will be a thing of the past.

The judges must be awakened to a more intelligent discrimination between the first offenders who can be reformed and the professional criminal who cannot be, and the probability of reform, rather than the nature of the offense, should govern the length of sentence. A balky, vicious, kicking mule may reform but he seldom does. A midnight house burglar or safe blower who continues to follow his trade after one or two terms in prison *may* reform, but he seldom does except in dime novels and the minds of optimistic philanthropists. I believe that a life sentence is the only intelligent treatment for this class of criminals, while the sentence of first offenders is frequently too long. Indeed, I am convinced that many first offenders can be better reformed outside of prison than in the prison, under the probation system or suspension of sentence now in successful operation in several states.

I have said that one of our duties as prison managers consists in reforming the prison reformers and this task involves wearisome and often fruitless labor. I think on the whole they are harder to reform than prisoners. I refer to the large class of statesmen out of a job in the labor centers who want to go to congress or the legislature. If the laboring men chance to be idle they are told by the ambitious statesman that free labor is idle because prison labor is employed and so they trade the welfare of the prisoner, the good of humanity and the rights of the taxpayer for labor votes. Having been elected upon this false issue they proceed to flood congress and the legislature with bills to prevent or restrict prison labor, to the great detriment of the prison and the great loss to the taxpayer. It seems strange that the voters or the taxpayers should be fooled with the theory that idleness can be a source of wealth, and that it benefits free labor to be obliged to support itself and idle prisoners in addition. Yet this sort of argument seems very attractive, and each year shows further encroachments upon prison labor. Labor is the first requisite of prison reform. Many get into prison because they have never learned to work; many more because they have never learned to do anything well enough to hold a job. So when a young man leaves prison with a habit of industry fixed by regular hours of

labor every day under a watchful instructor who sees that the work is well done, he has made an excellent start toward reform. So labor is absolutely necessary for the prisoner's good and for the public good, for the public is the financial gainer by the prisoner's reformation.

To make this labor otherwise than productive is a wanton waste and a great wrong to the mass of the people who are taxed to support the prisons. It seems strange that we should be called upon to defend the self evident truth that the state has the same right as the individual or the corporation to dispose of the product of its institution labor to the best advantage.

The so-called penitentiaries and the reformatories are coming nearer together each year and it is an exception rather than a rule to find any state prison in the north, east or west in which the reformatory idea is not uppermost. They have good hospitals and able physicians to minister to the sick and build up the physically weak. They have regular chaplains who preach able sermons and conduct Sunday schools and prayer meetings at least once a week, giving the prisoner all of the privileges of the free man in this respect. Indeed, the prisoner is a more regular attendant upon religious exercises than the business man or the working man, and the prison chaplain is sure of an audience, rain or shine.

The prisoners now have good schools in which all of the common school branches are taught. They have fine libraries with thousands of volumes to entertain, instruct and establish a taste for good reading which will follow the discharged prisoner to his home upon his release and keep him out of bad company.

They have wholesome food and it is generally well prepared and served, as the ancient theory that anything is good enough for a prisoner has been generally abandoned in this country.

In some of the prisons all of the prisoners having a perfect labor and conduct record are turned into the prison yard for an hour once, twice or three times a week after the day's work is finished, and they play games and take nature's great cure—fresh air and sunshine—for bodily and mental ills. Prisoners who are accorded these privileges are healthier in mind and body, behave better and work better. The prison should be a little world wherein advancement is possible, wherein there is a reward for well-doing as there is in the outside world. The outside world

has its punishments for wrong-doing, but it also has its rewards for honesty, integrity, ability and enterprise. The prisoner comes from the ranks of the outside world and differs from the rank and file only in a degree. Rational prison treatment consists in building up the manhood and stimulating the well directed ambition of the prisoner by the same means as far as possible as is employed in the free world. I am pleased to say that intelligent public sentiment is meeting prison management more than half-way by its general approval of rational and humane methods. Kicks, cuffs and curses from the officers, bad food, unreasonable hours for labor, no books, no schools, no privileges are no longer considered by the public as a necessary or desirable condition in any prison. The Prison Association and the boards of corrections and charities in the several states have done splendid work in aiding these results and in securing the approval of the public. With the approval of public opinion there are no heights but may be scaled—without it the road of progress is strewn with stones and thorns.

DISCUSSION.

Mr. Scott was asked to open the discussion.

MR. SCOTT.—I think this matter of political appointments is a very difficult one but one that we should agitate until we get prisons on a proper basis. I do not believe we can ever have scientific treatment of the criminal until we have permanent appointments. In many states with every change in administration from one party to another, the heads of institutions go and often every man is changed, there is a general sweep. The wonder is that such institutions are as well conducted as they are. They seem to get fair results in some cases but it would be the death of any business institution to conduct it in that way. In Massachusetts we have a law requiring civil service examinations and it has done more in the way of relieving prisons and charitable institutions from political pressure than anything else. It has created a sentiment in favor of this method. The Governor has also tried to appoint men for their ability. I do not think party feeling has entered into these appointments in the least. Some say that civil service rules can be manipulated and perhaps they can, but in any case the changes are not so wholesale as they were twenty years ago before these principles were adopted by the

general government. The sentiment in favor of them gains each year. I hope that we shall reach a point when prison matters will be everywhere treated in a sensible way.

The Chair announced that two wardens were present from Canada, one from British Columbia and the other from Winnipeg. He invited Col. Irvine to state what was the method of appointment in their prisons.

LT. COL. A. G. IRVINE.—It makes no difference what party is in power, so long as an officer does his duty no one meddles with his politics. It is important that a man should take interest in his work.

Maj. J. C. Whyte, of British Columbia, was asked to speak.

MAJ. WHYTE.—I am pleased to hear you talk about America because that includes us, indeed we occupy the biggest part of it. I have come from the most westerly prison in America and Mr. Irvine from the most northerly. If we had to go away to-morrow the time and money we have spent in coming here would have been well spent for what we have gained in meeting these wardens from all over the United States. They have been very kind to us and have given us much information. I cannot add to that information for I am only in the kindergarten stage with reference to prison management.

Warden Garvin, of Connecticut, was asked to speak with reference to prisons and politics. He said that in Connecticut there are no civil service regulations nor are there any politics; a man is appointed for fitness and retained for fitness. He said that he had no speech to make but would answer questions.

Q.—What is your prison labor in Connecticut?

MR. GARVIN.—We make boots, shoes and shirts on contract.

Q.—Do the members of your Board of Control belong to one political party?

MR. GARVIN.—Both Republicans and Democrats are on it. It has been so for years.

MR. BROCKWAY.—Do you know the history of the evolution in Connecticut from extreme partisanship to the present state of sentiment? When I lived there and was clerk of the Connecticut prison men who belonged to different political parties were personal enemies and two wardens, who succeeded each other, were members of the same church for years, but they did not speak to each other because they belonged to different political

parties. Everything was political in the prison. How has Connecticut outgrown that?

MR. GARVIN.—I have been there but three years, but for ten years there has been a non-partisan board and politics cuts no figure in the appointment of officers

Q.—Is it a religious reform, a political reform, social reform, or what is it?

MR. GARVIN.—Well they are quite religious down there anyway. They are very conservative, but I think the change came about through the character of one or two wardens that they had there. Anyway political influence is gone and gone forever. I have not been asked to appoint a man by the Governor, the Board of Directors or any one directly or indirectly. The vote for the indeterminate sentence was unanimous in the legislature and there is one measure that I think is better than any other state has: The third term prisoner has a maximum sentence of thirty years subject to parole. He must serve one year and possibly thirty.

Q.—By whom can he be paroled?

MR. GARVIN.—By the Board of Parole.

Q.—On whose recommendation?

MR. GARVIN.—On the recommendation of the officers of the prison who constitute the Board of Parole.

Q.—Who pardons?

MR. GARVIN.—The Pardoning Board, consisting of the Governor, the Supreme Justice of the State and four Associate Judges. They meet twice a year to pardon cases.

Q.—How many were pardoned last year?

MR. GARVIN.—One man.

Q.—How many were paroled?

MR. GARVIN.—Sixteen or seventeen. And there has been no violation of the parole law in Connecticut.

WARDEN HILLMAN SMITH, of Maine.—When a man is paroled, does he report to you or is he just turned out loose?

MR. GARVIN.—We turn him out but we don't let him go loose. When a man is paroled he goes direct from the prison to his occupation. He must send back a report from his employer that he has reached there and every thirty days we must receive a report from him. The employer must report the number of days' work, the number of days idle, the cause of idleness, the amount earned, the amount expended, for what it is expended, the amount

saved. If that report does not come in by the second day of the month, the employer is called up by wire, or some officer goes to see why we do not hear—you know Connecticut isn't a very large state and we can easily do this.

Q.—Is the man allowed to drink?

MR. GARVIN.—No. He signs that agreement before he is paroled at all.

Q.—Can men be paroled a second time?

MR. GARVIN.—I think there will be such provision made by the Board of Parole.

Q.—Has the state a special parole officer?

MR. GARVIN.—No, because the number of men paroled is small. There is, however, a Prison Association that receives about \$2,000 a year from the state and from private charity \$8,000 or \$10,000 more and that Association has a superintendent who meets every prisoner at the door of the prison, takes him to town, puts him on the railroad and sends him to his destination. We have sent some to Europe, some to the West. They purchase tools, clothing, and sometimes pay a week or two board for a man. The men are looked after very carefully when discharged if they are ready to work.

Q.—Do the prisoners report to the Prison Association?

MR. GARVIN.—Yes, the paroled men report to the warden and to the superintendent of the Prison Association.

Q.—How often are they visited?

MR. GARVIN.—Some member of the Board of Correction and Charity or some prison officer sees them at least once a month.

Q.—What officers constitute the Board of Parole?

MR. GARVIN.—The Board of seven Directors and the warden.

Q.—If one of your paroled men leaves the state have you any trouble with the governors of other states about acknowledging a requisition to return him?

MR. GARVIN.—We have had no occasion to ask for such acknowledgment, but I think there will be no trouble.

Q.—How is your Board of Directors appointed?

MR. GARVIN.—Appointed by the Governor and confirmed by the legislature.

Q.—Is the work of the Prison Association satisfactory?

MR. GARVIN.—Yes, but when the parole law goes into effect next year there will probably be a regular parole officer.

Q.—Will it do away with the work of the Association?

MR. GARVIN.—No, for we shall have men going out on stated terms for a number of years who will have to be cared for. My impression is that the work of the Association will be combined with the work of the parole officer.

Q.—Is the parole law retroactive, or will it affect only the prisoners convicted after it goes into effect?

MR. GARVIN.—It will affect only those convicted after it goes into effect.

Q.—How about your workhouses in Connecticut?

MR. GARVIN.—There are no workhouses in Connecticut. Men in jail have to labor.

The Chair reminded the Association that the discussion was on civil service reform and asked General Brinkerhoff to speak.

GENERAL R. BRINKERHOFF.—Ohio has been about as strong a partisan state as any in the Union. It has been said that with every change of politics in Ohio, every one goes out of the penitentiary except the prisoners. The State Reformatory, however, is wholly out of politics, not a shimmer of it left. In the Board of Trustees, which consists of six, there cannot be more than three belonging to any one party. We have non-partisanship in some other institutions. The House of Refuge, which has no superior anywhere in the management of boys and girls, has never had politics in its management. The county homes scattered over the state have been taken out of politics by having bi-partisan boards. There is a public sentiment in that direction and the party to which I belong—which unfortunately did not succeed—made it part of its platform that politics should be wholly taken out of public institutions. I hope we shall have complete civil service administration throughout the state. In our great hospitals we are largely out of politics. They are admirably managed. We had a meeting of the superintendents of the state hospitals last week and it did me good to look at them as they are a noble set of men. The Governor does not interfere with them. He is in sympathy with civil service reform. I should like to hear how they did it in Indiana where they are now free from political interference.

Mr. Amos W. Butler, secretary of the State Board of Indiana, was asked to tell how they did it in Indiana.

MR. BUTLER.—Mr. Timothy Nicholson has been one of the great factors in getting state institutions from political control in

Indiana. Somewhere in the seventies the subject came up for discussion. Mr. Harrison was the first to mention it on the stump, demanding the removal of such institutions from political control. In 1879 Mr. Brockway came out there and addressed us on the subject and his words had a notable effect in creating public sentiment. This grew 'till 1889 when the State Board of Charities was organized. There had been for a number of years a committee of the society of Friends, which had been exceedingly interested in removing all sources of scandal from the state institutions and in trying to lift them out of political management. Mr. Nicholson has been a member of that committee for thirty-five years and I think for twenty-five years its president. He was one of the first members of the State Board of Charities. The sentiment of that board has from the first been opposed to political control of institutions. In 1895 we had our first legislation concerning it. A bill was introduced removing them all from the domain of politics, but the fight of the spoilsmen was hard and the bill had to be amended. It provided for the removal of the benevolent institutions and the appointment of non-partisan boards for their control, but it left the penal institutions under political control. In 1897 the Indiana reformatory was established. There was nothing said in the law as to how its board should be made up, but the Governor insisted that it should provide for four members and he selected two prominent Democrats and two prominent Republicans and the legislature in 1899 provided that hereafter there should be two members from each of the two parties. That leaves us with the state prison which has a political board. The warden elected two years ago went in with the distinct understanding that politics should not interfere with his management of that institution, and I believe we can say that he has carried out that agreement. He has appointed whomsoever he has desired, some Democrats and some Republicans. There has been nothing in the purchase of supplies or in any of the business of the prison that looked toward political influence. The new warden comes in with the same understanding. For several years the Republican party in Indiana has had in its platform a plank providing for the non-partisan control of institutions and at the last election both parties incorporated a plank of this kind. Indiana is a close state. The independent vote decides the election. The *Indianapolis News*, the most potent factor perhaps

in shaping political opinion has favored steadily, earnestly and firmly non-partisan management of all institutions, not only state, but county. Governor Mount, from first to last, was a firm believer in non-partisan administration of institutions and Governor Dustan has announced himself as desirous of following in the line he had laid down.

MR. BROCKWAY.—Tell us how it is that a leading politician, the warden of the state prison, is now superintendent of the reformatory. How was he converted?

MR. BUTLER.—I believe the young man is here and can tell his own story. I believe that when he began he believed in partisan control, but he was soon convinced that that was not the best way. He visited other states and was further convinced that Indiana should have a reformatory. The effort to establish a reformatory did not succeed but by a compromise one of the state prisons was turned into a reformatory. Mr. Hert advocated that and a bi-partisan board. A new board was appointed and when they selected a superintendent Mr. Hert was unanimously chosen. Mr. Hert had become converted to these things. He knew that it was impossible to run an institution in any other way. The parole law and the indeterminate sentence can only be administered satisfactorily under non-partisan control.

Warden Wolfer, of Stillwater, Michigan, was invited to speak.

WARDEN HENRY WOLFER.—I have been engaged in prison work for thirty years and among my most helpful experiences has been that of starting at the lower rung in the ladder and having to fill every position along the line until I reached the top. I have engaged in the work in three different states and have studied somewhat the different methods in vogue in other states. I have paid some attention to the matter of taking institutions out of politics and I believe that Minnesota has been quite successful in taking her state institutions out of politics and keeping them out for ten or twelve years. The first movement in this direction was the appointment of a warden who had had previous training in this work in another state—Mr. Garvin, now of Connecticut. He was imported from Illinois to the state reformatory at St. Cloud when it was first opened. There was a sentiment in the state favoring the removal of penal management out of the hands of the politicians. With the advent of Mr. Garvin and the improvement

in the methods and management a still stronger sentiment was created. From that time it has been easier than before. The boards of Minnesota have been entirely non-partisan. Up to the past year, when the State Board of Control was legislated into power the state reformatory had a board of six, three Democrats and three Republicans. At the state prison there was a board of five, no more than three of whom could be chosen from the same political party and the management was practically non-partisan. During all my experience I have never been bothered to any extent by any effort on the part of politicians by being asked to make appointments for political reasons and when I have had such requests I have never listened to them. But you can not say how long this shall continue. It is one of those things that calls for continual agitation. There is danger in every state of falling back except for such agitation. Whenever public sentiment demands it the politicians will yield, but just as soon as public sentiment fails to do so then prison management is likely to fall back into the old ways. Then too much depends on the character of the men employed. One good strong man can do more as an executive to stimulate public sentiment and keep institutions out of politics than a hundred men might otherwise do. Men of character and experience should be appointed to these places and they should show to the public what they can do by good management. Such a lesson is of far-reaching importance and influence, and will materially help to keep the institutions out of political influence.

A word with reference to what has been said about Indiana. I know a little about the progress that has been made in that state. Someone has spoken of the conversion of a man who was a politician. He was a true politician, a good one too, a man of large experience, who knew just how to go about it. He became warden of the state prison, South. He was not only a politician, but he was a man and he was exceedingly quick to take in the best features of the management of penal institutions. The first thing he did was to visit other penal institutions to see how they were managed. The Board of Charities advised his visiting other states for this purpose and the secretary of the board accompanied him. The result of this trip was that Mr. Hert quickly decided that if he was to succeed in prison work he not only had to remove his prison out of politics but to eliminate all the evils of the spoils

system in the appointment of his lieutenants and that it would be impossible to control the matter if he allowed politics to cut any figure in the management of the institution. Mr. Hert did successfully remove his prison from politics and he went outside of the state and imported a good man to help him organize the institution. There was some howling, of course, for Indiana had the reputation of having more politics to the square inch than any other state in the Union.

MR. BROCKWAY.—Except Ohio.

MR. WOLFER.—Still I believe that more good politicians come from Indiana than from any other state.

GEN. BRINKERHOFF.—Except Ohio.

MR. WOLFER.—Ohio has had some *successful* politicians. From that time on Mr. Hert had comparatively easy sailing. He started right, he continued right and he is right to-day. He has had the backbone and the manhood to stand up and do what he believed to be right though he had always been a strong partisan politician. The only possible way to have good management of these institutions is to take them wholly out of politics and if the man at the head has not sufficient backbone to do that he is unfit for the place and he will not last long.

The parole, the indeterminate sentence, releasing prisoners on probation, all require large experience and if these laws are not carefully administered, if the prisoners from reformatories are paroled too soon, or are held after they should be paroled, the whole system falls to the ground and the good that otherwise might be effected is lost. The general trend of penology is toward the indeterminate sentence. That is gradually coming, as we all believe, but when it reaches us if we are not equipped with the proper organization and with the selection of proper officers both in prisons and in reformatories to administer the principles involved in this system, we are bound to make a miserable failure of the whole situation. I think there is no body of men to-day in the United States who can have more beneficial influence in the way of arousing public sentiment as to the necessity of removing these boards of officers of institutions from politics than the members of this Association, and we ought never to lose an opportunity to call public attention to these important matters.

MR. GARVIN.—At our meeting in Cleveland Superintendent Collins, of New York, offered to establish a criminal bureau of

information provided the wardens would send cards and photographs of criminals to him. That has been done to some extent. It was very generous on the part of Mr. Collins. He has sent his assistant, Mr. C. H. Baker, of New York, to lay the matter before the wardens again.

MR. C. H. BAKER.—At the Cleveland Congress Mr. Collins said to the wardens that if they would send photographs made at their institutions to our bureau in Albany that he would, without expense to the different states, make research on those cards, follow them up and if found in the records send the facts to the institution. Seventeen states and Canada came to the arrangement and we have heard from about half of those states. We furnished them the cards but they have not returned them to us. We have a bureau now of 44,000, though we are but five years old. We keep a staff of three indexers at work all the time. I think we have the most complete bureau in the world and by far the largest in the United States.

MR. BAKER then called the roll of states that had not responded or had responded but in part. Some of the wardens had not sent cards because they had not fully understood, some because they had not had time.

MR. BAKER'S LIST.

Wolfert, Warden, Minnesota State Prison, Stillwater, Minnesota.
700 cards sent. 91 cards received February 12th, 1901.

Reed, Warden, Indiana State Prison, Michigan City, Indiana.
500 cards sent. 8 received December 12th, 1900.

Joseph F. Scott, Superintendent Reformatory, Concord Junction, Massachusetts. 500 cards sent. 135 cards received from March 16th to October 5, 1901.

T. B. Patton, General Superintendent, Pennsylvania Industrial Reformatory, Huntingdon, Penna. 500 cards sent. (2 lots) 80 cards received from December 12th, 1900 to August 26th, 1901.

John F. Weyler, Warden, Maryland Penitentiary, Baltimore, Maryland. 500 cards sent. 255 cards received from March 15th to November 1st, 1901.

Charles C. McClaghry, Warden, Wisconsin State Prison, Wau-pun, Wisconsin. 300 cards sent. 13 cards received August 28th, 1901.

J. M. Tanner, Warden, Southern Illinois Penitentiary, Chester, Illinois, (Menard P. O.) 500 cards sent. 320 cards received from January 3d, to May 13th, 1901.

William A. Hunter, Warden, Penitentiary at Anamosa, Anamosa, Iowa. 250 cards sent. 38 cards received from January 31st to May 10th, 1901.

Frank L. Randall, Superintendent Minnesota State Reformatory, St. Cloud, Minnesota. 300 cards sent. 60 cards received June 27th, 1901.

H. P. Hehn, Warden, Wyoming State Prison, Laramie, Wyoming. 150 cards sent. 39 cards received from June 26th to September 30th, 1901. (Very poor photographs.)

Wm. N. Darby, Warden, Ohio Penitentiary, Columbus, Ohio. 500 cards sent. None received.

Alvin T. Hert, General Superintendent, Indiana Reformatory, Jeffersonville, Indiana. 500 cards sent. None received.

Albert Garvin, Warden, Connecticut State Prison, Wethersfield, Connecticut. 700 cards sent. 200 November 4th, 1901.

J. T. Gilmour, Warden, Central Prison of Ontario, Toronto, Canada. 600 cards sent. None received.

J. A. Bowler, Warden, South Dakota State Penitentiary, Sioux Falls, South Dakota. 30 cards sent. None received.

George Torrance, General Superintendent, Illinois State Reformatory, Pontiac, Illinois. 800 cards sent. None received.

Major Johnson, Warden, Western Penitentiary, Allegheny, Penna. 500 cards sent. None received.

Thomas Wilkinson, Warden, State Prison at Folsom, Reppress, California. 300 cards sent. None received.

N. F. Boucher, Warden, North Dakota State Penitentiary, Bismarck, North Dakota. 300 cards sent. None received.

WARDEN WOLFER.—When the Bertillon system was introduced I was one of the first eight in the United States to take instruction in the manner of conducting that system, and I have always felt a keen interest in it. I believe it to be a necessary part of our penal system if we are to succeed in the parole and indeterminate system. The filing of information has got to be very carefully done or the benefit of this system will be lost. I believe thoroughly in the Bertillon system and believe that we shall derive much help from it.

CHAIRMAN FULLER.—The object of such a bureau is to get the photographs and descriptions of all prison rounders, not first offenders.

MR. BAKER.—We take all men sentenced for more than thirty days and in those we find a great many rounders.

CHAIRMAN FULLER.—But every warden can select men who will never come to prison again. It is not worth while to lumber up your records with them. Seventy-five per cent. of those who go out from my institution I can tell well enough will never go to your state prison or any other. The rounders are those who should be sent to the bureau of identification.

MR. LYTLE.—Do you file information about young offenders who have committed their first offense?

MR. BAKER.—When the information has come into our office it is sacred. No one can see the records except the authorized persons. We do not make it a show business at all. We get requests from all over the country for cards representing criminals, but they don't get them. We have the parole law in New York, but it would not amount to anything if we did not have this system.

MR. GARVIN.—I am in favor of having the photograph of every man who is convicted going into this bureau. There is no earthly reason why it should not. It will never be seen unless the man is locked up again in prison. There is no embarrassment for the fellow at all. The picture goes into the record and stays there if the man is all right. If he is not all right it should be there; it is the proper thing to do.

MR. BAKER.—The bureau was established in 1896 and never but once has one of our photographs appeared in a newspaper. That was a man who killed an officer in the prison and through some mistake his picture was given to a visitor, but the warden of that prison will never get at another, that can be depended upon.

WARDEN WOLFER.—I believe that every man convicted of a felony should be photographed and Bertillon measurements be taken and filed for future reference. The photograph and the record are sealed books unless the man himself opens the book. The knowledge of this has a wholesome effect upon the prisoner. It takes time to perfect this system of keeping records but the time is coming when they will be invaluable. Our worthy president says that it is perfectly safe in his estimation to eliminate seventy-

five per cent. as the proportion who will never again enter prison. That is something that no man however long his experience in prison work may be can say with certainty. It may be that fifty per cent., perhaps sixty, possibly seventy-five per cent., in some localities, will not return, though I think there is some doubt about that. Our statistics and our information are too imperfect for us to say with anything like positiveness how many will never return to prison. I think that many whom we think of as living lives of sobriety and industry may have simply migrated to another state and are repeating their experiences there. The most dangerous criminals are those that migrate from one state to another and make a business of crime. They are the hardest to handle and they are the ones we ought to be able to fix as they move from one part of the land to another and that can only be done by the Bertillon system.

MR. BAKER.—We have been classifying our prisoners by previous terms and about one-third, year in and year out, is made up of men who have been in prison one or more times for felony, more for misdemeanors. We do not count those.

MR. SCOTT.—Will Mr. Baker state the cost of the instruments to carry out the Bertillon system?

MR. BAKER.—We paid \$31 for our set. Then there is the furniture, that is the board on which you measure the height, the stool on which you measure the sitting height and the stretch. Then there is the table on which we take the finger measurements, etc. These you can make in your institutions from drawings which we furnish. The measurements are given in Major McClaughry's translation. Then there are the cards, the filing cases and the photographic apparatus. You must have a little gallery in which you take the photographs. We had a great deal of trouble about the photographs at first. Every man took them as he thought best and many of them would fade out in six months. We hired a man at \$500 and sent him round to the different institutions to instruct all the photographers there and we are now getting splendid photographs. The whole cost would run from \$150 to \$200 including the photographing instruments. I shall be glad to send the rules relative to photography used in New York. If a man goes by them he can not make a mistake.

Q.—Have you any arrangement by which you supply institutions?

MR. BAKER.—No. Under our law we are not permitted to sell anything except to state, city and county institutions within the state.

Mr. L. C. Storrs, secretary of the State Board of Charities of Michigan.

MR. STORRS.—As I understood it we were to discuss the excellent paper of the Chairman of the Wardens' Association. We have wandered far from the subject. To come back to it I will say for Michigan that we have little trouble with politics in our state institutions, probably for two reasons. One is that we have few changes in government and another is that the Governor has neither the power to appoint or remove any superintendent of any state institution or any warden of any prison.

As important an item as has been presented to us to-day by our worthy president is the matter of fees. Probably the way to effect a reform here will be through the pockets of the taxpayers. If we could emphasize to them the cost of this abominable fee system I believe we should have the taxpayers with us in bringing about the reform. In Michigan the several boards of supervisors have formed an association and the fee system is one of the things they have discussed and to a certain extent the fee system has been abolished by the state legislature. We have not got to the sheriff. He is still paid for locking in and locking out, except in one county in Michigan. There we pay the sheriff a high salary, \$3,600 a year. The jail is clean. No man goes into it without a thorough cleansing. The clothing which he wore never sees the inside of the jail.

MR. TIMOTHY NICHOLSON, Indiana.—Our county officers receive salaries and all fees are turned into the treasury.

MR. AMOS W. BUTLER.—Under our laws the fees received by the sheriff for boarding the prisoners are not returned to the state treasury. The fee system is an abomination with us. I visited one jail not long ago in which the population was in round numbers for the year 1,200 and three-fourths of those were tramps who had been brought in simply that somebody might receive a fee. It was not an uncommon thing to find that a man had been brought into the jail as a tramp in the evening after supper and had been released in the morning after breakfast and the sheriff received twenty-five cents for incoming and outgoing fee, forty cents a day for two days' board, \$1.30 in all and the man

had only spent the night and had his breakfast. I had to bring that to the attention of the judge and as a result we have had a reform, but there are many other places where it is needed. I am glad that Mr. Storrs has referred to the matter. It is a subject of great interest to us. I would like to ask where the jail is to which Mr. Storrs has referred

MR. STORRS.—At Bessemer. I would like to have you visit it. It is clean enough for any one to spend a night there.

MR. BUTLER.—Is it not a fact that in some states the magistrates, or justices of the peace who have committed the prisoners to the jail or house of correction have been materially benefitted by the fee system as well as the officer?

MR. STORRS.—Of course. It is a partnership. I knew of one policeman who was not thoroughly posted who found a man whom he knew drunk in the street and took him home and he came very near losing his place for it. He was told that he should have taken him to the lock-up and the next day he would have been tried and sent to jail for ten days!

MR. BUTLER.—I referred to the keeping of tramps, not to arrests, though there are abuses in that direction.

CHAIRMAN FULLER.—It would be absurd for a judge of a circuit court to be paid so much per head for convicting criminals, but in most of the states the justice of the peace is paid so much for each criminal and the result has been that in some places there has been a regular system of running people into prison for the sake of the fees. I would like to know if there is any state where the justice of the peace, the constable or the sheriff is placed on a salary as other judicial officers are.

SUPERINTENDENT SCOTT.—All of the justices of the supreme court and the justices of the municipal and police courts are appointed by the Governor, in Massachusetts, and hold their positions practically during life and all are paid salaries. All the sheriffs and constables are upon salaries. The board of prisoners is paid by an appropriation from the different counties and we have almost abolished the fee system. In the little town where the Massachusetts reformatory is situated we have a police court, with the police justice upon salary and all the clerks are upon salaries fixed by the legislature and they cannot be changed except by act of the legislature.

Chaplain William C. Stoudenmire, of Maryland, was asked to speak.

CHAPLAIN STODENMIRE.—Great injustice has been done by the fee system. Many men who might have been of use to their families have been shut up in order that officers might get the fees. Many of the justices of the state are in favor of getting rid of the fee system and we are working to get it abolished throughout the state. Baltimore and Frederick are free from the fee system, and we have some figures showing the result in Baltimore. Not more than two-thirds as many are incarcerated in the jail. The same is true concerning the jail at Frederick. It was common to find from a hundred and twenty to a hundred and fifty in the jail when the general population was not nearly so large as now. At present I do not find more than fifteen or twenty in jail there. That shows the result of having the fee system taken off.

A DELEGATE FROM OHIO.—Hamilton county, Ohio is free from the fee system. County officers have salaries. We have fees but they are paid into the treasury. All police justices are paid a salary.

MR. JOSEPH P. BYERS, Ohio.—There is a strong sentiment against the fee and per diem system. The county officers and sheriff have been put on a straight salary. Usually they receive fifty cents a day for keeping prisoners and undoubtedly some of our sheriffs retain their prisoners in the jail unduly in order to secure the fee. Prisoners that have been convicted and sentenced to the penitentiary are sometimes detained two or three weeks in the jail before the transfer is made. Sheriffs do not get a per diem for taking prisoners to the reformatory, or mileage and instances have occurred where the judges have changed the commitment, sentencing a man first to the reformatory and upon the appeal of the sheriff they have sent him to the penitentiary that the sheriff might have his fee. But we have a very healthy sentiment against the fee system and the per diem and it will be but a few years when this fifty cents a day and the other fees that attach to the administration of justice will be wiped out by a straight salary system.

Mr. H. S. Hoagland, chief of police from Lincoln, Nebraska, was asked to speak.

MR. HOAGLAND.—I have had considerable experience in this direction. I have watched this fee system for years. We have it.

in Nebraska and I believe it is injurious. Our sheriffs receive fees but they are accounted for to the county treasury and the sheriff out of these fees receives his salary. If he fails to collect fees sufficient to pay the salary he does not get it. If he collects more than enough it goes into the treasury. Our justices of the peace receive fees in the trial of cases that are fixed by statute both civil and criminal business; our police judges receive a salary. The police officers receive a salary and no fees. Our criminals come principally from the large cities and they are usually arrested first by the police before they come into the hands of the sheriff or county authorities. They have to pass through the police court so that there is no incentive on the part of the police to arrest men wrongfully because they get nothing for it. The board of prisoners is contracted for under the protection of the city council. The contract is let upon bids to certain parties to board the prisoners under the supervision of the chief of police whose business it is to see that proper food is furnished, and that it is furnished at the proper time. So far as our police department is concerned we have no inducement for picking up men for no cause, or for lodging them or keeping them over night. We do keep a good many tramps and they are about the worst class of people we have to handle. We lock them up as beggars. They are sometimes sentenced to the county jail and sometimes to work on the rock pile.

MR. CHARLES E. ARNEY, warden of the state penitentiary, Idaho.—In Idaho we changed from fee to salary in 1898, and an estimate for the first two years showed \$22,000 to the advantage of the state. It has been very satisfactory from every standpoint. The salaries are small, from \$3,000 down.

Q.—Does that affect the police court?

MR. ARNEY.—Yes, they are all on the salary system.

The representatives from Canada were asked about the system there. The reply was that there is no fee system in Canada.

WARDEN A. T. HERT, of Indiana.—I should like to know how many states have a law authorizing reformatory officials to send for the men after they are convicted and sentenced to the reformatory. I think that is the law in New York. There is abuse in Indiana by the sheriff holding men a considerable time after they are sentenced. In one case the man was kept three months in the

jail after he was sentenced to the reformatory. The matter was taken up and the Governor sent a circular letter to every sheriff and now we find that on an average we receive the prisoner eight days after he is condemned. We have recommended the adoption of the New York law but immediately after the publication of our report, in which we made this recommendation there was a meeting of the county officers and we never made any progress in the matter.

MR. J. S. SIMMONS, superintendent industrial reformatory, Kansas.—The Sheriff's Association changed our law so that the sheriffs bring in the prisoner. It is the duty of the clerk of the court to notify the superintendent of the prisoners being sentenced. Then I notify the sheriff. I get a health certificate from the health officer to avoid bringing in contagious diseases. This is a sort of compromise but it works better than I feared it would.

MR. FRANK L. RANDALL, superintendent state reformatory, Minnesota.—The sheriff brings the prisoner to us. We are sixty-five miles from Minneapolis and seventy-five miles from St. Paul, and we receive about half of our prisoners from those cities. It is nothing unusual for a prisoner to be received from a city two or two and a half hours distant three weeks after he has been sentenced. The sheriffs of the larger counties rarely bring more than one prisoner at a time, two men perhaps, or a man and a boy. We send our incorrigibles and desperate characters to the state prison and we send two officers in the care of six. The sheriff brings a guard with him. Sometimes he takes a hack and encourages us to think that the hackman is a guard that he has brought from home. We have received from one of the twin cities a train prisoner about midnight. The train leaves St. Cloud about 4:30 A. M., reaching St. Paul about 6:30 or 7. Another train coming back leaves St. Paul at 9:30 and the sheriff sometimes brings back another prisoner on that train. This is done at the expense of the state and the sheriff and the guard are paid from the state treasury. This is an illustration of the iniquity and temptation held out by the fee system in Minnesota.

WARDEN GARVIN, Connecticut.—I was connected with the Minnesota reformatory when that law was enforced and I brought the first prisoner to that institution and I recommended the change myself. I did it for this reason: The men that are in the jail are known by the sheriff and there was a disposition on the part of the

sheriff to give us no information. I have brought back some of the toughest fellows three or four at a time and I had my hands full. Under the Connecticut law the men are not delivered till ten days after they are sentenced

SHERIFF J. POWER, Omaha, Nebraska.—In Nebraska the man must be in prison within thirty days after he is sentenced. That gives time for an appeal to the supreme court. I have on several occasions put it off 'till the last day thinking that the man might get a new trial and be cleared. We have difficulty in Nebraska to get good men to serve as sheriffs because there is not enough pay in it. The sheriffs' fees are not as large as many people think. If I have to take a hack to drive out of Omaha for a prisoner I have to pay \$4.00 for the hack and I get \$1.00 for the trip. If you happen to have several summonses at one time it will pay but if a sheriff has to go fifteen or twenty miles on one summons the sheriff is out of pocket every time. I have seven deputies, four in the field and three in the office, and I have to make my own salary and the salary of the deputies out of the fees of the office. If there is anything over it goes to the county. There is not much abuse of the system.

On motion of MR. WM. RUEHRWEIN, superintendent of workhouse, Cincinnati, a committee consisting of Wardens Wolfer and Hert, was appointed to report recommending action on "The International Police Journal," which they did and their recommendation was adopted as follows:

"WHEREAS, To advance the interests of the Wardens' Association of the National Prison Congress, it is necessary that there be a representative official journal; therefore be it

"Resolved, That we recommend to the Wardens' Association of the National Prison Congress and to superintendents of all penal institutions *The International Police Journal* and all other publications of a like character.

"A good police journal will assist to lessen crime."

On motion it was voted that a committee to present a list of officers for the Wardens' Association should be appointed by the Chair. The following persons were appointed:

Messrs. Bussinger, Garvin, Wolfer, Darby and Freeman.

Prison labor was then taken up for discussion. Mr. F. H. Mills, general superintendent of industries for New York, was asked to open the discussion.

DISCUSSION ON PRISON LABOR.

MR. FRED HAMLIN MILLS, N. Y.—We are working under the same provision that we were in 1897, though we have developed some in the last year. The volume of products amounted to half a million dollars last year and substantially all the population of the prisons is employed satisfactorily. There is nothing new to tell. Conditions make this system more favorable for us than for some states, and I do not know whether it would be satisfactory to other states or not.

MR. BROCKWAY.—Tell them what the prisoners earned of that half million over the cost of manufacture.

MR. MILLS.—The portion of the earnings that the prisons will get this year will be \$60,000. We are now preparing a new catalogue including some new lines of manufacture and bringing the prices of the product up to the standard outside. We have added fifteen per cent. to the prices. That should yield us \$75,000 more next year, and I believe that in two years we shall earn as much as under the old system. I am more convinced than ever that this system of labor rightly administered would do away with a great deal of the opposition that comes from labor organizations and from the people all the time working at the prison labor to eliminate it.

Q.—What is your appropriation from the state for maintenance?

MR. MILLS.—The state of New York has always appropriated for twenty years, from \$450,000 to \$550,000 for the maintenance of prisons. The earning of the convicts goes into another fund and from that fund we have taken money and turned it back into the state treasury. I have said that the earnings probably represent \$60,000 this year, but that does not represent all of the earnings. For instance we sell a school desk for fifty cents less than the prevailing price outside. Now that item alone saves the state \$30,000 and the state gets the benefit of that. So on through the state hospitals. Until this year we have not been able to get the prices for our goods that are paid outside for the same things. When we get a satisfactory price we shall make a better financial showing for the prisons.

Q.—What amount have you in plant?

MR. MILLS.—We have to-day probably \$300,000 in plant, accounts and capital.

Q.—Does that take in all the penal institutions except the reformatory?

MR. MILLS.—Yes.

Q. Are the inmates kept at work pretty much all the time?

MR. MILLS.—Yes, at Auburn and Sing Sing the men are well employed. At Dannemora two or three hundred were employed in winter, but in summer they have been at work on the new buildings.

BISHOP FALLOWS, Chicago.—During the last two or three years has there been an increase in the number of hours that the men have been employed?

MR. MILLS.—Yes, in the last two years.

BISHOP FALLOWS.—I was at Sing Sing three years ago and I found men at work on Sloyd because they had nothing to do and the warden told me that he had to walk the men around an hour in the morning and an hour in the afternoon to give them exercise. In Illinois we are face to face with the problem of prison labor. We have had a meeting of all the labor organizations and the heads of the different state institutions with the Governor and that is the question now before us. We had a commission appointed by the legislature to investigate the New York system and they reported unanimously against it and mainly on the ground that the prisoners were not sufficiently employed.

MR. MILLS.—We are not here to defend the New York law. The law was given to the prison department and they administer it as well as they can.

Q.—Has not this system involved a large increase in the expense of maintaining the prisons?

MR. MILLS.—I think not.

Q.—What was the appropriation for sustaining the prisons last year?

MR. MILLS.—About four hundred and sixty thousand dollars.

Q.—For everything?

MR. MILLS.—Yes. So far as the state account system is concerned the results of this system have been about an even thing compared with the old system of state account. The Illinois commission was satisfied when it saw Sing Sing and saw the men

idle. If they had stopped at Auburn they would have seen every man in the prison employed on full time.

Q.—In your judgment in what way is the present system an improvement over the state account or piece price system.

MR. MILLS.—It involves the principle of the state's control that enables the management of the prison to have absolute control of the prison population always. They can apply the labor in any direction they like.

Q.—Isn't that true on state account where the state disposes of the product through the natural channels of trade?

MR. MILLS.—Yes, but actually in the operation of the state account system I believe every man who has had experience will say that the warden loses control of the business part. No man is able to take a population of a thousand men and organize them so that he can control both business and discipline. He must give the business to some other man to run if he is going to make a profit.

Q.—When the law was first passed in New York was it not done to satisfy the political demand to take prison made goods out of the market?

MR. MILLS.—I think that was the argument.

Q.—Has it done that?

MR. MILLS.—Yes, but not because the labor men accepted it, but because the executive of the state of New York has taken the ground that it did it to satisfy the so-called labor men and whenever any measure to restrict the manufacture in any line the Governor has vetoed the bill. The legislature has passed only one measure restricting it. That was printing, and really the matter of printing did not furnish any labor.

Q.—Are the men in the penitentiaries employed?

MR. MILLS.—I do not think they are except in Kings county. But in a state so large as this you can organize industries large enough to employ every convict in the state profitably under this law. It is only a question of time and ability to organize.

Q.—Do you have labor-saving machines?

MR. MILLS.—Yes, I believe in using the best machinery in order to manufacture the best product. Unless you provide the best equipment you cannot satisfy the purchaser with the product and unless you satisfy the purchaser you cannot succeed.

Q.—You expect to fit your men to go out and compete with free labor on release?

MR. MILLS.—Yes, and to do that you must have the best machinery so that the man will find the same sort of a machine outside.

Q.—On what line of work are the men employed at Sing Sing who were idle two years ago?

MR. MILLS.—Fifty are at iron work that has been started this year; 140 who were idle two years ago, are making underwear and cotton goods; we have a sash and blind factory for about a hundred men; 170 men making mats by hand. All the population is employed.

S. J. BARROWS, Secretary N. Y. Prison Association.—The president of the Warden's Association, in his address spoke of the labor agitation. It is a mistake to suppose that by adopting the New York law we got rid of the labor agitation. We have some splendid men administering the system, Mr. Collins and Mr. Mills and others. With a corps of competent men thus organized if any one can make that system successful it will be done; but we do not escape the labor agitation by any means. The law provides that things shall not be sold outside of the state or in the open market, but that does not prevent labor men from seeking to restrict the industries that the prisoners work on. There is in Grand Rapids a big furniture trust. We make in the prisons in New York some 24,000 desks for schools. There are 70,000 more made in the open market and I suppose Grand Rapids makes most of them. They would like to make them *all* and perhaps deal directly with the school commissioners in each town, instead of going through the office of the superintendent. They might in that way make a better bargain. The trust and many of the school men would like to have a bill passed to secure the whole trade in New York and we have had to fight that furniture bill in that state. It only escaped passage by some tremendously hard work on the part of Mr. Mills, Mr. Collins and some of the rest of us.

Then the labor men came up later and asked to have all machinery abolished. Do not think that all this agitation is confined to ignorant labor men, men who earn their own wages; for a superintendent of school instruction, a man who knew something about pedagogy but nothing of penology, told me that when a man was sentenced to prison he forfeited his right to labor.

There is another practical point for us to consider. A bill was introduced some years ago into the house of representatives in Washington forbidding convict made articles made in one state from being sold in another state. That bill was up again last year in congress and it passed the house of representatives. It was the short session and it did not get to the senate, where we were prepared to fight it. It may come up again and I hope you are so interested in the industries of your own states, having that freedom which is the one essential condition of prosperity, the freedom of sending the product where it is salable, will fight that bill. I believe that it is unconstitutional, but I would rather defeat it in congress than have it enacted and then be thrown out by the supreme court.

I do not by any means consider the New York system an ideal system. It is doing well in spite of its unfortunate limitations because it is under splendid management. I do not consider that the product either financially or morally is the best. The Prison Association of New York has the right, under an order of the supreme court, to inspect prisons. A year ago last September we found at Sing Sing, according to the warden's testimony, that the men were working an average of but one hour a day. That has been overcome, as Mr. Mills has said, by the introduction of new industries. Will the labor men allow us to keep them? They are not satisfied and I do not know that anything will satisfy them. The system is still an experiment and we shall have to wait some time to see its total results. If it can succeed anywhere it will succeed there; but I should think smaller states would adopt it with hesitancy.

An invitation to visit the Commercial Club was read and by vote accepted with thanks.

Adjourned at 1 P. M.

CONSTRUCTION AND EQUIPMENT OF PENAL AND REFORMATORY INSTITUTIONS.

JAMES E. HEG, SUPERINTENDENT STATE REFORMATORY, NEW JERSEY.

Some years ago, as member of a commission appointed to provide plans for the construction of a state penal institution, accompanied by our architects, I went to Elmira to confer with Mr. Brockway, to ask for advice and to obtain the benefit of his long experience.

To our inquiries as to what our plans ought to include, in order to obtain a complete reformatory, Mr. Brockway replied by asking: "What do you propose to do in the institution when built?" It was a new proposition to us. He as much as said that an institution should be built to conform to the requirements of certain well defined policies and plans of operation, in place of the usual method of first constructing a lot of buildings, and then making the work of the institution to fit in as best it may.

It is doubtful whether any penal institution has ever been completed in this country exactly in accordance with the original plans of the architect. The usual course in building a prison is well known.—When a state is about to begin the erection of a prison, a commission is appointed to procure plans, and an appropriation is made just about large enough to put in the foundations of one of the cell wings. The commission selects an architect, generally because of his reputation in other than prison work,—quite often because of a political pull. The architect may conscientiously endeavor to produce the highest class of work, but the first and foremost idea of every architect, it would seem, is to make a striking and imposing structure. Generally it is a highly commendable idea to cause the erection of handsome monuments of architecture for coming generations to admire, but I contend that penal institutions are not exactly suited for this purpose. It is right and proper that educational buildings,—schools, art galleries, libraries,—should be ornate and highly embellished, but almshouses, asylums, prisons,—buildings intended for the purpose of charity or correction, ought to be severely plain, and should not have one dollar of ornamentation. This is due to the people who are compelled to build and pay for these structures. But the architect usually has his way, and the erection of an imposing structure is commenced. But every prison man knows that beauty in the outside appearance of a prison does not amount to very much in the care and management of the institution. The right or wrong arrangement of the interior of the prison can make the management easy or difficult as the case may be.

The architect's plans are accepted, and the work of construction begins under his control. The appropriation soon becomes exhausted, and after some time and considerable effort, the legislature gives a further sum but not anywhere near enough to complete the work. By this time, a practical prison warden has

probably been selected for the institution, and very surely he finds that for an economical management, for the absolute security of the prisoners, for the health of the inmates, for the convenience and ease of handling the men, many changes in the original plans would be advisable. And the changes are made. Time passes, and new boards and new wardens take the place of the old, all of whom will seek to distinguish their administration from the other for the mere sake of distinction;—they will make changes for the sake of demonstrating that they are an independent and original force. The result is that prisons are what they are,—a hodge podge in architecture.

Almost any man who has had experience in penal institutions, could plan a prison that would be quite satisfactory from most standpoints of the prison keeper. The trouble is to get his plans or his advice acted upon until after the architect has completed the plans or until the structure has advanced so far that changes will be costly.

We will take it for granted that the commission has exercised the greatest care in the selection of a site,—that a location has been chosen that leaves nothing to be desired in the way of facilities for water, drainage, sewerage and accessibility for freight and people. For unless each of these points is carefully considered, and properly solved before construction begins, it will always be a source of trouble and vexation. I know of one prison where the only possible means of sewerage is into a narrow, sluggish stream, which passes through a small city, the people of which clamor to have the contamination stop. But they can offer no suitable solution for the disposal of the sewerage.

I know of another institution built on a low, flat site, where high water in neighboring streams floods the basements and causes the water in the sewers to back up in the cellars, threatening disease and contagion among the inmates.

But in recent years, building commissions have been quite careful in these matters, much more so than formerly. They also give more consideration to the questions of heat, ventilation and sanitation.

A prison structure should be strong and durable. The outer walls should be thick, but not over three feet in thickness, laid in cement, with an air space in the wall to prevent moisture from penetrating. It should be fire-proof—the roof being of slate laid

on tile, care being taken that it shall be so steep that water will flow from it very freely.

It should be carefully borne in mind that no part of a prison is stronger than its weakest part. There should therefore be no weak spots to invite the reckless prisoner to risk an attempt to escape.

The first rule I would have in considering prison construction, would be to have no basements or cellars in any building within the walls. None are needed, and if built, serve only as hiding places for dirt and filth, as storage room for odds and ends of no value, and for places into which crafty prisoners can sneak for evil deeds. I know of one prison where a long deep basement or cellar was used as a root house. A number of the kitchen crew were left in a room in front to wash and peel potatoes. After a long time it was found that one of the men had rigged up a still in the far end of the cellar, and was turning out a fair quality of potato whisky! And still another had made an apparatus for coining counterfeit money.

Cellars are not necessary. Steam and water pipes can be carried in tunnels into small distributing rooms, to be kept locked, the chief engineer being alone responsible therefor.

Have no dark holes or rooms of any sort in the prison. Let the sunlight in wherever possible. Germs of disease are sure to lurk wherever there is dampness and darkness, and easily dispersed where there is plenty of light and air.

The guard room or central cage is an important feature. It is difficult to detail its special parts. The best one in the country, so far as I have seen, is that at the North Peninsular Prison at Marquette, Michigan. It was designed by the late Capt. Joseph Nicholson, a guaranty to all prison men that it would be difficult to improve on it.

Another is that at the Ohio reformatory at Mansfield. A guard room should be constructed so that all prisoners must pass through it in going to and from the cell wings. The guard room officer is then master of the situation, a very important feature in every respect.

In the construction of the cells, I confess to a prejudice in favor of brick, with nearly full steel front. Possibly my prejudice against entire steel construction is due to the fact that the only prisoner to escape from a cell room, under my control, did so by

cutting his way through the roof of the wing. It was afterwards learned that he had worked for over eight months making an opening through which he escaped. When a hole was bored in the steel, it was filled with bread and rubbed with whitewash so that in the darkness of the cell, it was about impossible to notice anything wrong. With a brick cell, the entire work of cutting out must be done in one night, and this is nearly impossible. With a brick construction, the cell should be plastered with adamant and painted with oil paint. A good size for a cell is six feet wide, nine feet long, and seven feet six inches high. If possible, have, a solid stone slab make the ceiling of the cell, forming of course, the floor of the cell above.

A wash bowl and water closet in each cell are modern requirements, though it is very hard to keep the closets in good order, unless work is very thoroughly and honestly done at the start.

For an example of good steel construction, the Maryland penitentiary at Baltimore, is one of the best in the country. The cost, however, has been immense, though the prison is not yet completed.

One advantage of steel work is that more cells can be obtained in the same space than with brick or stone. It is also fully germ proof; is easily cleaned or disinfected; and does not provide abiding places for vermin.

The corridors of the cell wing should be not less than fourteen feet wide, with cement floors that can easily be flushed with the hose.

A cell room with three tiers is the ideal. None should have more than four tiers. Three tiers with twelve or fifteen feet clear space above, makes it easier for the officers in locking up, and solves the question of heating, to a great degree. All prisons have found it difficult to heat the cell wing so that the temperature shall be comparatively the same at the top and bottom tiers. The minds of some eminent consulting engineers have been exercised in trying to devise methods whereby this can be accomplished, but generally the result has been unsatisfactory, or has been produced at great expense in the installation of the plant, and enormous cost in the operation.

As to the lighting of the cells and the prison, electricity alone should be considered. The prison should be flooded with light,

inside and outside. During the season when the buildings are to be heated, the cost of lighting is merely the cost of the lamps consumed. Heating should be by the exhaust steam of the engines, entirely. Steam is as valuable for heating after it goes through an engine, generating power, as it is before it does so. It will be necessary to have some good vacuum system, however, to prevent back pressure on the engines. With such system, one pound steam pressure will easily heat all parts of the institution, prevent pounding in the pipes and save a large percentage of the coal.

A number of prisons are equipped with the fan system for distributing heat. In my humble opinion, direct radiation from coils is preferable, and it certainly is very much cheaper. A fan for drawing foul air out of the cell room is desirable, and almost a necessity, but a cell wing should be so constructed that it can be also aired by opening the windows a part of each day, if only for a few minutes.

The kitchen is one of the most important departments in a prison, and it should be a good one in every respect. The kitchen and dining room should be connected with the guard room, but should not be a part of the main building. A good plan is to have the dining room some forty or fifty feet in the rear of the guard room, and connected by an open grated corridor.

The dining room comes first and can be divided into first and second grade rooms, if desired. The tables arranged in rows, so that the men all face the same way, are generally fourteen inches wide, and should seat only four at each table, so that the waiters can pass along the aisles and easily reach every man, without passing between the tables. Between the kitchen and dining room, is the serving room, where the bread is sliced, and the food divided, and the dishes washed. Back of this, is the kitchen, large enough for its every purpose, and fully equipped with the latest appliances, including meat-roasting kettles, as well as boilers.

The kitchen floor should be marble or tile, which do not absorb grease or dirt. The walls ought to be of enameled brick, without any woodwork to encourage the lodgment of cockroaches and ants.

Above the dining hall may be the chapel or school rooms, but the kitchen should be of only one story, with openings in the

roof for ventilation, and cooler air in summer. The entire structure ought to be well protected by iron gratings.

Back of the kitchen is the bakery, pantry and cold storage for temporary supplies.

A good store-room is one of the requisites of every institution. It ought to be large enough to hold every possible article that goes into the institution, including the meats and vegetables.

More money can be wasted in a prison by a poor and unsystematic distribution of supplies than by almost any other means. The store-room system in vogue at the Indiana prison at Michigan City, is one that could be adopted by all institutions with much profit. The store-room should be in a building separate from the rest, especially accessible from the kitchen and other departments, well lighted, dry and airy. The cold storage rooms, of course, ought to be cooled by refrigerating machinery, instead of ice.

The laundry and bath room should be connected so as to have hot water, and as few live steam pipes as is possible. Accessible to the laundry and bath room, should be a room for the distribution of clean clothing, to be so arranged that every prisoner shall have a pigeon hole for his week's supply.

As to the baths.—The shower baths system, called the Genenstrom is really the only one of any value. These can be put in, in series as desired, and the temperature of the water regulated at the will of the officer in charge, with no danger or possibility of scalding the bather. Each prisoner ought to have a separate compartment, which should be made of slate, if possible. Every prison ought to have a bath room especially for new prisoners, where the hair should be cut, and the clothes destroyed, so as to lessen the chances for vermin to enter the prison.

In every penal institution there should be provided a well equipped hospital, and such punishment rooms or cells as may be decided upon. In small institutions these can be combined, and perhaps also in larger institutions. The hospital connected by a grated corridor with one of the cell wings is advisable in a small institution. The upper story can be used as the hospital wards, while the lower floor may be utilized as the doctor's office, the drug store, and for a number of cells in which should be confined those who are too ill to work but not enough so to be admitted to the sick wards. The regular cells ought not to be occupied during

the day time by any prisoner. He should be at work, in the punishment cell, or in the hospital sick cells or wards.

In reformatories, especially, the number in the hospital at any one time, is usually small. If the hospital is built as a separate building, a guard is necessary, when even one man is confined therein. The same is true of the punishment house. But if these are connected with the cell wings, in any way, the cell room guard—day and night—can easily look after the inmates in small establishments. Of course, in large prisons, where there are many old men and probably quite a hospital population, it would be preferable to have the hospital separate, and some distance away from the main buildings or shops.

MONDAY—AFTERNOON SESSION.

THE CHAPLAINS' ASSOCIATION.

The National Chaplains' Association meets annually with the National Prison Association, or as it is often called the Prison Congress. The wardens also have an association of their own within the Congress. The prison physicians have now organized an association of their own in the same manner.

The chaplains held informal and social reunions on Saturday, November 8th, and on the following day, on Sunday afternoon appointing a meeting in one of the parlors of the Midland hotel.

Social meetings for conference and fellowship in prison work were continued this year, as in other years, at the beginning of each day. They were under the auspices of the chaplains, as heretofore, and were held in the regular place of meeting in the Grand Avenue Methodist church, commencing at 8:30 A. M., half an hour before the time of the regular session. They were open to the entire congress and to the public, and it was especially desired that they should not be considered as for the chaplains alone, or for others any less than for them.

In this morning meeting there was singing, and testimony, and prayer especially for the great community of prisoners the world over.

A number of questions, which had been published beforehand, were taken up at this meeting and discussed as far as the limit of the time would permit.

1. Can a secular entertainment be a substitute for preaching services in the prison chapel on Sunday? There was no one to maintain any affirmative to this question. Regret was expressed that such a substitution should ever be attempted. If any warden thinks that secular entertainment is more interesting, or will work better, of course he may be at liberty to try it at once, and there may be no one to hinder him. But the chaplain should not deceive him, nor help him to be deceived in any way. Prisoners

know the difference between a true religious service and a secular entertainment. They have a natural respect for the real thing, which they do not have for the inferior substitute. The religion of Christ can be preached anywhere, and wherever it is really and ably preached, from the heart, and with a good understanding of it, as well with the lips, there it always holds men as nothing else does, and it always will hold them as nothing else will. The chaplain may be patient with any wardens who have yet to learn this for themselves, but no prison ever gained anything by substituting a vaudeville show for a genuine service of religious worship, and the chaplain should not hesitate to say so.

2. What is the wisest course for a chaplain to pursue if the influence of officers is openly given in disrespect for the chapel services? Answer: Keep on patiently. Make those services better and better, and overcome evil with good—by patient continuance in well doing, “putting to silence the ignorance of foolish men.”

3. What liberty that the chaplain ought to respect, has the prisoner to reject religious services in a prison? Answer: The chaplain should know that real religious feeling cannot be forced upon a man in a prison any more than out of the prison. Religion must be the voluntary choice of the heart, in all places, in one place the same as in another. The chaplain should respect the sacredness of personal choice in a prisoner, the same as in any other man. The question of attendance at a public chapel service being required of all prisoners for disciplinary purposes, is for the warden to determine. The chaplain, may, however, have his own private opinion. It is believed by many that the coming together of all the prison population, as far as possible, regularly, at one place and at one time, with appropriate exercises of dignity and value, appealing if possible to the heart and the soul, to all that is fraternal and human, is of great service in prisons as in colleges, or in an academy. It promotes public spirit in a way that is very useful. It may powerfully influence the tone of the prison. If the warden orders such a meeting and the chaplain believes in it, he certainly should do everything he can to promote it.

4. How can a chaplain do anything practical to secure an institution home for prisoners discharged from the prison before they are really strong enough to go on without any further help in the way of right living? No special methods were proposed,

but it was remarked that some chaplains, by appealing to their friends, or to people of philanthropic purpose, have found ways of rendering much assistance to ex-prisoners.

5. Is not the chaplain's influence more dependent on what he is, than on what he says or does? The meeting answered this question by asking how is it with other preachers. Is not the best sermon the preacher preaches, what he is? Can we make a preacher inside the prison, or outside of it, without character at the foundation of the preaching? Was not the Lord Himself in His own life the greatest sermon ever preached? It was urged that we should not set apart prisoners, as if they were different from other men. They require in the preaching just what all other men require. Preaching in the prison is not different from preaching out of the prison. The humanity in the prison chapel is the same as in any other meeting-place outside. The prison congregation's needs are essentially the same as those of other congregations. The gospel the prisoner needs is exactly the same as other men need. The salvation he needs is exactly the same that other men need. Erecting prisoners into a peculiar class different from other men, hinders rather than helps our work. They are to be addressed in substantially the same ways, and by substantially the same methods as are properly used in any other address from the pulpit. They need to be spoken to in the same language as other men; they need to be spoken to in their mother tongue; the language they can understand; the language of sympathy; the language of authority; the language of truth.

6. What should be done for adolescent criminals? The general sentiment was that it was not new methods of dealing with them more than we now have, that are most needed, so much as it is a more faithful, devoted and persistent application of the efforts we are now using. We have schools and teachers and missionary work already organized in great variety, and with great ability. What we need now for greater success is more faith and fidelity in pushing the means we already have.

CHAPLAIN LOCKE said: "In our earnestness to do the best and the most for the young criminal we are in danger of overlooking the old and the tried methods. Is there not some new way of reaching him? Is there not some novel plan of reforming him? Inquiries like these are constantly recurring. It seems to me that this is a case where we may well inquire for 'the old paths, and

walk therein.' It is not a new way that we want, but a better working of the old. The young man in prison must be reached in the same manner as the young man in the home. He has changed not a whit in the transfer from home to prison. He is in all essentials the same person. He carries with him the bruise made by his moral lapse; and it is that bruise which appeals to our sympathies. But he cannot be driven into goodness in prison any more than in the home. He must be instructed; he must be persuaded; he must be given time to decide. But when he yields he must be accepted with a heartiness which leaves no room for the thought that we doubt him. I believe this to be the home method of dealing with the young man. It can be introduced into the prison without change or amendment. I do not believe that it can be amended. There is no short way to a young man's heart. It requires faith and patience and prayerful endeavor. He has not forgotten that there is such a thing as goodness, and he knows it when he sees it. Let us be good ourselves, and then go to these young men in prison as we have gone to young men out of prison. We have already talked about the question: Is not the chaplain's influence more dependent on what he is than on what he says or does? How much depends upon what the chaplain is? How much depends upon what the chaplain says and does? The only way to reach young men in prison is to preach Christ to them—by precept and by example. Every other way of saving them has failed. The gospel way has already saved some. It has force and efficiency to save all if its force could be let loose and its efficiency applied."

7. How shall preachers and theological students be led to be interested in the prison? Circulating the facts touching the proper use of Prison-Sunday in our churches will tend to this end. At least one seminary in the country (Andover) sends students two days a week to the prison where they conduct bible classes: assist in the chapel services; direct the Y. M. C. A. meeting, and do much corridor work. Thus the appeal of the prison, and the principle of prison reform, are all the time being better understood in that seminary.

8. How shall society be induced to give the prisoner a fair opportunity to redeem himself in the eyes of the world, after he has been released? By patient and persistent appeal; by the preaching of the gospel; by the constant use of appropriate

literature. The gospel requires that of Christian people, and the preaching of the gospel, illustrated in the personal example of Christian people, must have that result in time.

9. Is it not in personal intercourse, rather than in public addresses, and in public services, that the chaplain finds his greatest influence with prisoners? Very likely it is. Probably it is with the chaplain in this matter exactly as with the minister outside, who often has his largest influence through personal intercourse with the people. In some places, and at some times, perhaps the Lord himself accomplished more in personal intercourse with the people than by more formal preaching. The chaplain's experience, however, in this particular, as the meeting thought, is not essentially different from that of other pastors and preachers.

10. Is personal intercourse most useful in enlightening, rather than in persuading prisoners? This question was thought difficult to answer. Enlightening and persuading go together in prison as they do out of prison. How can a man well be persuaded without being also enlightened? Does not persuasion, in the nature of it, presuppose some degree of enlightening? The Lord was a teacher as well as a preacher. All true preaching implies teaching. We cannot enlighten too much, nor can we persuade too much.

11. Is not the form of public religious service most impressive with prisoners which, being of course sincere, is most ceremonial and ornate?

In regard to this question CHAPLAIN LOCKE said that he would like to use in part the words of another: "It is not the blue light of Presbyterianism, nor the red light of Methodism, nor the primrose light of Episcopalianism, but the white light of Calvary—a light that flashes into all places, into prisons or into palaces, into convict cells or into cathedral cloisters, that must illuminate and save lost and ruined men."

Others spoke upon this question. It was not thought that prisoners are different from other men. Outside of the prison, public religious service is more impressive for some when it is ceremonial and ornate; for others the simpler service is more helpful. It is probably the same in the prison. Outside of the prison it is the highly intelligent and cultivated oftentimes, as well as the less educated and less intelligent, that prefer the ornate

ceremony. It is probably the same in prison. Outside one preacher can use that highly ornate ceremonial service to better advantage than he can use the simpler preaching; but some other preacher cannot use the ceremonial service with good effect. So far as possible, the preacher in the prison, as out of the prison, should be allowed to use whatever he can use best, and the chaplain, the same as any other preacher, should endeavor in this matter to adapt himself as far as he can to the different tastes and needs of his audience.

12. Is the professionalism of the chaplain's office a hindrance to his personal influence with prisoners? Yes, it certainly must be to some extent. That is inevitable, owing to the weakness of human nature. Talking religion with a minister is the proper thing to do, like removing one's hat in church, and may make no more impression on the character than that. An earnest Christian convert among the prisoners can have a more direct and personal religious influence upon his fellows than the chaplain can hope for, I think.

A chaplain's well-rounded and yet developed Christian character will exert its influence on the prisoners in ways that make for their upbuilding, even if he find it not best to talk religion much with his flock. And it is thus indirectly and unconsciously that his work will be done.

This reply was made in one of the prisons, by a person not a chaplain.

The entire list of questions proposed, there was not time at this Congress to take up, and the remaining questions were deferred until the next meeting another year.

On Monday afternoon, November 11, the chaplains conducted the regular session of the Congress. PRESIDENT SCOTT occupied the seat of honor on the platform.

The meeting was called to order, after a prayer and the singing of a hymn, by their president, Rev. Wm. J. Batt, of Concord, Massachusetts. MR. BATT congratulated the association on the number of chaplains present and thanked those who had taken the pains to come, many of them from long distances, to give counsel and aid. He referred to the death of Warden Chamberlain on his way to the Prison Congress and asked whether the association would take any action in regard to a tribute to him.

REV. CYRUS MENDENHALL, chaplain of the state reformatory, Ionia, Michigan.—Sometimes when we talk of the brevity of life it seems like dealing in platitudes, but when we are brought face to face with sudden death the impression is very different. By a previous arrangement Warden Chamberlain, Chaplain Orwick, one or two others and myself were to meet at the railway station in Chicago Friday morning. When I got there I met Dr. Butler and Chaplain Orwick coming towards me and I knew at once that something terrible had happened. They told me that Warden Chamberlain had died the night before at 10 o'clock, and they returned at once to Michigan.

PRESIDENT BATT.—A word in regard to Warden Chamberlain. He has always been friendly to us in a great many ways. His sympathy was warm with the work of Chaplain Hickox, our late president. He was a true friend and a wise counsellor. Provision has been made by the Prison Association for the proper expression of a suitable tribute to Warden Chamberlain and we shall sympathize with the committee appointed for that purpose.

The annual address of the president was then read by MR. BATT.

ADDRESS OF REV. WM. J. BATT.

The keynote of this Prison Congress certainly ought to mean a new zeal for prison work.

The present opening for great success in the prison is bright enough to arouse the keenest enthusiasm of any person who loves God and who loves his fellowmen, and who has given careful attention to the subject.

If anything grows upon us touching this work, after many years of special acquaintance with it, it is the conviction that not all of us appreciate the possibilities which prison work offers to a good man, well qualified for it, who will go at it to-day and put his whole heart and soul into it.

Were there ever so many men so earnestly engaged in our tasks as there are now? This Prison Congress has not been working in vain for thirty years. Founded and cherished by great and good men, its noble effort and its forceful testimony have attracted the attention of fit souls in every part of the world! Probably it never has had so many friends as it has to-day.

Science has more and more been taking hold of prison problems and assisting in their solution, until to-day a score of special sciences, the names of some of them only now becoming familiar to us, are enlisted in our aid, and the most careful work of the laboratory, in the study of mind and character, and nerve and soul of the laws of heredity and of uncounted other laws that have to do with our humanity, is co-operating as never before.

Our state legislatures, and our national governments, even in their international relations, are committed by appropriations and appointments that they have made, and by precedents that they have established, to the support of the best endeavors in prison work, as they never were before. And there is no sign of any reaction or retrograde tendency that threatens the continuance of this legislative interest.

There never was such a literature on this subject before, as there is to-day. Beginning with the Bible, which is the best book upon prison reform ever yet given to the world, we have now a literature co-ordinated with it of great variety, of great extent, such as probably early pioneers in prison work never dreamed of.

The volumes which this Congress has published, and which are now upon the shelves of the leading libraries of the world, are of themselves a great contribution to the literature of penology and of reform.

But above everything else perhaps it was never so plain before, or plain to so many men, that Almighty God is smiling upon all earnest effort in prison reform—scientific effort, if you please, for what effort can be scientific, if that is not which recognizes the whole nature of man, as God created him at first, and perhaps with reverence we may say as God is still recreating him? Not only the material nature, but also the affectional and spiritual nature as well.

This session of the Prison Congress at Kansas City may well be the most hopeful meeting that we have ever had, if only we will bear in mind that the greatest humanitarian that ever lived especially mentioned the prison as one of three great pleaders that appealed to Him, and to which His own mighty heart responded—poverty, sickness, and the prison!

And there never was such a time to remember the dignity of our calling! We are workers together with Him who saw poverty and sickness and the prison as dreadful tyrants in the

earth whose power must be broken! These three evils controlled, and the millennial day may come! When we have abolished poverty, so far that it is the exception, when we have controlled sickness so far that health is the heritage of the race, and when we have mastered the prison problem—then will come the new heavens and the new earth! And in one of these three great departments of holy toil we are especially engaged! And this is the dignity of our meeting to-day, that this Congress is one of the foremost agencies for their study, and for the better comprehension of the great dark problem of the prison!

And all that is required now for a long step forward in this work is a new infusion of consecrated personality! Our older men, mighty men they were, they are passing away. Who will take the places of those men who have been so much to us? Some of whom founded this association in great faith and under great difficulties many years ago, some of whom have only lately gone. Who shall call their names lightly? And who can bear to call the names at all of those that still remain with us, as if their work were already done?

And this call for new workers is for any one in a variety of departments. There is no true conception of the prison that does not lay a strong emphasis upon the personality of the warden. The time is gone by when the warden is to be thought of as simply the embodiment of a resistless police or constabulary. The warden of to-day is instead the very embodiment of the whole spirit of the new prison. Such a warden has a right to be, and he ought to be, the chief inspiring force in the prison, and in moral and spiritual ways as well as in lesser ways. The warden we welcome is the warden that every prisoner and every officer looks up to with an immediate, genuine and profound reverence; to meet whom makes the prisoner wish to be a better man, and makes the prisoner feel that he has come, not into a pandemonium, or such a place as prisons have sometimes been, but into the vestibule of a better life. It is a great mistake for chaplains to assume that they are the only religious workers in the prison. All the work that is done in the prison ought to be done religiously; and there is no work more religious than the faithful work of the warden. And there never was such an opening for a man in the warden's place as there is to-day.

The present opportunity for a physician in prison work is equally full of bright promise. We are to have physicians giving their whole time to the comprehensive health interests of the prison. Instead of coming in simply for an hour a day, to attend to diseases already developed, they are to give their chief attention to assisting the warden in the promotion of perfect health conditions for all the men who are there. There are skillful doctors enough now, to allow some of them to be spared for special service in the prison. And what an opportunity this field furnishes to the physician! How often can a physician have a more improving chance for the study of the problems of his profession than he can have in the new prison? Our prisons are now providing themselves with the very best hospital accommodations. The prison in Concord, for instance, is building a separate building, costly, to be entirely devoted to the health interests of the prison. Nothing has been spared to make it a modern hospital. And certainly very few physicians are provided with such an equipment, such a complete furnishing of everything needed for their use.

A very thoughtful and intelligent physician in a prison represented in the Prison Congress, has stated an objection to this present suggestion which it may serve our purpose to repeat, hence its introduction here. He said: "I should not care to give myself to the prison as my chief work, because life in a penal institution is so dangerous. It would be the ruin of me. It is very narrowing to live in a prison. You could not get a man with any hopeful ambition to be a first class physician, to do it." But I replied: "How do you think these other officers get along?" He immediately answered: "They do not get along at all. It makes them small; it destroys them. An officer is here a few years and what is he good for? He has no ambition; he has no enterprise. And I should be just like them. It is not altogether their fault. You may take the best man you can find and put him into ordinary penal institution life and in a few years it will narrow him right up small." Cannot everyone familiar with the prison as it used to be, see the force there is in this statement? But what we need to show, if possible, is the error, as well as the truth there is in what this physician said.

If the physician cannot live in the prison, how can the chaplain live there? How can the warden? If things in the prison

are as this physician says, then there is disease in that prison, and all through it, worse than any he treats in the hospital, and the more necessary it is to have a good physician come and diagnose the whole case, and see where the disease is, and what it is, and how it can be remedied, and stay there until he completes the remedy, or else gives up and says he can't do it.

If a hospital makes the nurse sick, what sort of a place is it to send a sick man to? There is something about the ventilation of that hospital, or about the water, or the milk or drainage or something else, that needs attending to right away. What chance has a patient to be benefitted in a hospital if he is waited on by a nurse that is full of typhoid, and physicians that are coming down with tuberculosis? One reason why the prisoner used to get no better in the old-fashioned prison was because the officers had been in the prison so long before he came, that they had gotten sick themselves with the dreadful sickness of the place. The hospital must be clean and healthy before the physician can consent to send a patient there. Science has not made that hospital what it ought to be until it has made it thoroughly wholesome in every respect. The same is exactly true of a prison. It is to be a moral hospital. Now, if the prison is what this physician suggested, all the more need that the most intelligent and capable physician should devote himself to it until the cleansing is accomplished and the prison is different. And the chaplain ought to help him, and everybody else ought to help him, and wish him success.

In further advocacy of this view, it should be said that it is not true that life in a reformatory prison need to destroy, or even injure, the moral vitality of any officer. A reformatory is a Christian institution, and it ought to be helpful, and it will be to any earnest man who is called to it, to do necessary service in a Christian institution that is conducted in a Christian way, especially if it have among other good things a Christian physician, enthusiastic and broad-minded, interested in its administration, the old-fashioned prison no doubt was destructive to the officer. The moral peril of the officer was quite as great as the peril of the prisoner. But all this is to be different in the new prison. The new prison is to be one of the very places to which a man who wants to be a progressive and up-to-date physician, or minister, or warden, or to work in any other capacity can go for a reasonable opportunity of accomplishing that very purpose. The reason

why the prison was once destructive of the officer who was off his guard, narrowing him and taking the enterprise and the ambition out of him, so that after a few years he was good for little else, is patent to any expert whoever glanced into the old-fashioned prison. But the new prison will be different from that, and will be no place for a fat, beery man, who calls himself an officer, to sit down all day in a chair, with his mouth full of tobacco and a big spittoon on either side of him, and with prisoner trustees nearby, almost as indolent as himself, waiting to do his errand here or there when he had one.

But let us look a little more closely at the position of the physician in the new prison. It may be thought presuming for a layman to attempt to speak concerning the things of the professional man, but we are all supposed to be somewhat acquainted with the different parts of the prison, and I do not say these things without having consulted somewhat with honored surgeons.

The physician then is in charge of an up-to-date hospital in a large prison. It is thoroughly equipped in every particular. More major operations are likely to be performed there than would fall to the lot of the physicians in ordinary practice.

May it not also be the case that young physicians might be glad to spend a little time in this hospital as in larger ones, for the sake of the experience and practice they would get there under the guidance of the chief?

Without serious diversion from his duty in the prison, this physician might be able to attend to some general practice in the officers' families and in other families right around the prison. Would he not also be more valuable oftentimes than the physician in ordinary practice would be, as a consulting physician in emergency cases?

Would any physician have better opportunity to associate with other leading physicians, and for attending valuable conferences of his profession, than this physician might expect, under a wise and broad-minded administration of the prison?

Would he not have special leisure, more than a busy and driven physician in ordinary practice would have, for experiments and for study, and for reaching many conclusions of special importance to his profession?

This physician moreover would be free from some dangers to which the ordinary physician may be somewhat exposed. The

ordinary physician is measured among men largely by the pecuniary value of his practice. He might be tempted to measure his own success by the amount of his professional receipts. This physician, however, will be estimated largely by the dignity of his position, and the moral value of his work.

Nor have the physicians who have done most for their profession, and who have made the most important discoveries and introduced the most beneficial improvements in surgical practice, always been the men who were reaping the largest revenues.

It is to be remembered always that the great object of a physician, as of other self-respecting men, is not mere money, nor professional success artificially reckoned, but rather true character in himself and real service to the world.

We are not seeking to put the physician's work in the prison on the missionary basis. Still, why should not the physician feel a missionary impulse, and respond to it, just as much as the minister? There is no monopoly in this privilege, certainly. And is it possible that the prison of the future should ever reach its highest estate, unless there be a missionary impulse somewhere, and a good deal of it? And how often a prison chaplain, longing to raise the tone of life in the prison, must say within himself: "What a help it would be if there were here in the prison, side by side with me, still another, a professional man, a physician with the enthusiasm and the peculiar opportunities of his profession, to work with me for that end!"

Christ made the healing of disease one of the chief agencies for accomplishing his life work and for his success among men, and this surgeon whom the men of the prison look up to with a peculiar respect—what an opportunity he has!

You will not consider it unfair either to suggest that possibly the next step forward in the healing profession is to be in the direction of a larger use, in the ordinary practice of good physicians, of the power of the mind over the body. Suppose a young physician is interested in that side of the work. Suppose him to have cheerfully given up the ambition for an imposing practice, with great revenues. Suppose him to be that good man who alone can possibly realize the full spiritual power of the physician as a healer. His position is reasonably secure; his required labor is not excessive, his support is moderate, but cer-

tain; and his opportunity of study, and elevating acquaintance, and of increasing the sum of important knowledge, is exceedingly attractive—is there not a splendid opening for such a man in the prison?

I have not time to speak here of prison commissioners and state superintendents, and men and women in similar offices, and especially of the often unappreciated plain prison officer. It is a very great opportunity that is offered to good men to-day, in these positions for wide influence upon the character and the welfare of the whole prisoner class, and in solving the great prison problem itself.

But of course you will not expect me to pass by one other office, at least, without special remark. Is not the call for chaplains to-day such a call as was never heard before? There is more demand upon him now than there ever has been before, and people are beginning to see that he ought to be a man of no limited equipment. The chaplain has a great sphere in any good prison, if he will only occupy it. Of course his chief fitting for it is the fitting of grace. But no man to-day is likely to be what a chaplain ought to be in a prison, unless he be a man of broad training, and of the closest study of prison problems.

A chaplain's true work in a prison is not a department in any usual sense of that word. A chaplain's work in the prison is a department that includes all other departments. The great end of the prison is to reform men, and that is what the chaplain is there for—himself to do that work, as far as he can—and to see that what he can't do alone is done by others as far as he can. If our prisons are not making men better to-day who is responsible? That is a very solemn question! If chaplains have scope in the prisons such as they ought to have, what have they to say in this matter of personal responsibility? But if they have not the scope that they ought to have, why do they not say so? Why do they not protest in such a way that their protest will be heard?

A chaplain ought not to be a man who is wholly engaged in details, doing errands on the corridors through the week and preaching a formal sermon in the chapel on Sunday. A chaplain is in the prison in a large way to raise the whole tone of life in the prison; to affect the whole spirit in which the entire prison is administered, and to lift up the standard of the prison for prisoners and officers alike, and for everybody.

Now the man that can do that will be greatly appreciated in the prison. Ordinarily no man can do that who is simply given a place in the prison by some political friend because he has nothing else to do, out of pity for him, and as a part of the spoil of the campaign which that politician has in his control. The chaplain is coming into a calling where he will have such permanency in his place as is necessary for his work; where he will have such freedom and such scope as not all outside ministers have. Outside ministers have some advantages which prison chaplains never have, but the prison chaplain is to have some advantages on his side also. The chaplain who goes into the prison chapel and makes a little preachment, which nobody respects and which officers laugh at, is going out of date, and he has got to, for two reasons. First, because we are to have a better equipped man for a chaplain than that, and also because the officer that sneezes at religious things—officer that ridicules real religious work in the prison—will be ejected from his chair and drummed out of the place. Persistent profanity, or grossness of speech or of conduct, or evident lack of sympathy with religious education, must mean an officer's discharge from the new prison.

Permit me to bear this personal testimony in closing this annual address. I do not wish to speak about myself, nevertheless I do it because I feel impelled to offer the testimony. I have often times been profoundly impressed with the greatness of the obstacles in a chaplain's way, with the peculiar difficulties of a chaplain's work in a prison. The question has often arisen with me, "What chance have I to do anything here? Ought I to stay? Is it safe for me to remain here? Can I remain and keep my own self-respect, considering how difficult the task is and how little the apparent opportunity of such success as ought to satisfy a man who remembers that he lives but once, and that it is his very life he is spending year by year?" But never in seventeen years of such experience have I seen more light than I see now. I never have been so sure that there is a chance for a chaplain in a prison to do good work, and even if he seems to fail, to make his very failure a success, as now. I know that in a great many prisons, probably, the chaplain does not have the co-operation and the opportunities and the scope that is allowed him in Concord, Mass. Every case must be judged by itself, and every chaplain must judge for himself what he can do in his own prison. But I testify

to-day that it seems to me there is one of the grandest opportunities for a chaplain, in a good prison, that a modest minister ought to ask for.

Mr. Moody wrote, a long time ago, when he was beginning his educational work in Northfield, "My school work will not tell much until the century closes, but when I am gone I shall leave some great men and women behind me." What is wanted in the prison to-day is men, chaplains, if you please, men in whatever office, who have that same conviction deep in their souls of what can be done in the prison.

Give us a new enthusiasm along the whole line of officers in the prison, so that they will all take hold of prison work in this new spirit, and the prison should certainly become at once such a prison as we have never had before. We should not need to wait for new buildings, or new machinery, or new conveniences, or new laws, or new methods, important as all these good things may be, but we should have the Golden Rule prison, the Christian prison, right away. And if the kingdom of heaven did not come in all the earth, it would at least begin to come in the prison.

A paper by HON. S. J. BARROWS, secretary of the Prison Association of New York, entitled "Jesus as a Penologist," was next read.

JESUS AS A PENOLOGIST.

In treating of Jesus as a penologist I shall not treat of Him in relation to theology or Christology. The terminology I shall use will be, therefore, that of penology, not that of theology or Christology. I have no expectation of adding anything to the world's knowledge of Jesus. I can appeal to no new sources of information. The only record I shall refer to is that of the Four Gospels as commonly received. My object is not to throw light upon Jesus, but to see what light Jesus throws upon our duties to the delinquent and the criminal. Our difficulty in dealing with them arises partly from our need of more light, partly because we do not use the light we have. Jesus, it seems to me, made a remarkable contribution to the light of the world in this respect, a contribution which was at least notable for His age, and which is gradually illuminating and inspiring our own. This contribution was in the form of new ideas and principles, new aims and purposes, and

these involved the application of new methods. We speak of Howard, Livingston, Beccaria, Pope Clement, and others as great penologists, who have profoundly influenced modern life; but the principles enunciated and the methods introduced by Jesus seem to me to stamp Him as the greatest penologist of any age. He has needed to wait, however, nearly twenty centuries to find His principles and methods recognized in modern law and modern penology. It is interesting to see how Jesus has anticipated conclusions which are not now regarded as sentimental or arbitrary, but as scientific and philosophical. I do not mean that they represent what penology has already accomplished. They represent, however, its aims and its ideals. These principles and methods were not grouped systematically, but they may all be deduced from His teachings.

I. HIS REJECTION OF RETALIATION AND VENGEANCE.

It is an illustration of the tenacious conservatism of criminal law that a traditional, punitive theory, which prevailed in the day of Jesus, still prevails and hampers us. Jesus came at once in conflict with that theory.

The principle of the traditional penology which Jesus rejected was the tradition of retaliation and vengeance—an eye for an eye and a tooth for a tooth. This idea was deeply imbedded in the old Hebrew code, and until the last century it has been the controlling idea in nearly all penal codes. It assumes that a certain amount of suffering must be visited upon every wrong-doer, and that it must bear some proportion to the suffering he has inflicted. The idea, translated into proverbial speech, is "Give him as much as he gave." "Pay him back in his own coin." It is the simple idea of punishment. It has no concern for the welfare of the offender; it has no paramount concern for the protection of society; it is simply the conception of social vengeance. It finds its parallel in the vendetta and in the reprisals of savage tribes. The more modern apology for this theory of punishment, which still dominates our codes, is that it acts as a deterrent. This is an attempt, laudable in itself, to substitute a motive of social protection for that of social vengeance. Two things, however, must be noted; that penalties for the most part have not been constructed with a view to their deterrent effect, but because they are supposed to

bear some punitive proportion to the offense committed ; secondly, it is capable of ample demonstration that the penalties of social vengeance, even when applied with extreme and arbitrary severity, do not lessen crime. They are not deterrent, and, therefore, they are not protective. If carried too far, severe penalties awaken pity in the community rather than fear. Considered from the standpoint of utility, social vengeance has always been a failure, and doubtless always will be. The reason is not far to seek ; its tendency is to brutalize rather than to humanize.

Bear in mind the difference between the natural and inevitable consequences of sin and injustice and that punishment which is arbitrary and retaliatory. Jesus preached with immense power the inevitable consequences of unrighteousness and injustice upon the perpetrator. No one arraigned with more strength or fidelity the evils of His own time, or showed with more dramatic imagery that wrongdoing brings its terrible consequences to the wrongdoer. He pointed to that power of moral selection by which the tares shall be separated from the wheat, by which the morally fit shall survive. He profoundly believed in the triumph of justice and goodness, and that means the defeat of the bad and the unjust. But this was preached to men not in bitterness and vengeance, but with the loving fidelity of the prophet, the ardor of the patriot who weeps over Jerusalem, and the tenderness of the shepherd who is seeking his lost sheep. There is an immense difference between these moral laws, which work out and execute their own consequences, and the miserable substitutes which we devise for them in our conception of social vengeance. Here is an habitual, besotted drunkard standing before the judge in our criminal courts. How terrible is the punishment which he has imposed on himself ! Whisky has burned his body almost to a cinder. He is simply a charred wreck of a man. What a spectacle to us of the consequences of violating physical and moral laws. But how foolish and ridiculous is the ten days or the thirty days which the judge imposes as a punishment for the last debauch. It is not the function of society to stand in the place of divine laws. The greater our confidence in the eternal moral laws to vindicate themselves, the less our need of assuming to stand in their place. We cannot justify modern law upon a theoretic basis. God will wield His own sword ; it is not for us to wrest it from His grasp.

I do not mean to suggest in any illustration above that Jesus was without capacity for moral indignation. On the contrary, it flamed forth at times like a scorching sword. Moral indignation may indicate a healthy state either of an individual or of society. It summons men to right action. It enforces accepted standards of human responsibility. It is the thong of small cords. But, as illustrated by Jesus, moral indignation was directed towards correction rather than to punishment or destruction.

II. REFORMATION RATHER THAN VENGEANCE.

Now, over against this punitive theory, which He rejected, Jesus laid down the principle that salvation is better than vengeance; that it is more important to save men than to destroy them. The contrast between the punitive view and the reformatory view is well set forth in an incident in the life of Jesus. His disciples, James and John, were wroth against a certain village of the Samaritans which failed to receive Jesus and they said: "Wilt Thou that we command fire to come down from heaven and consume them, even as Elias did?" But He rebuked them, and said, "Ye know not what manner of spirit ye are of. For the Son of Man is not come to destroy men's lives, but to save them." There could be no greater contrast than between the attitude of Jesus on the one hand and that of the old penology on the other; it is the difference between light and darkness, between life and death. The doctrine of James and John was the old doctrine of elimination, a doctrine which is still advanced to-day. It undertakes to protect society by killing off the defective and the criminal; but society is not protected by any influence or method the effect of which is to brutalize society itself. Whenever harsh, vindictive, and destructive means have been used against the offender, the effect has been to develop in society a spirit of cruelty which engenders and propagates the very crimes it is supposed to destroy. The essential truth of Jesus' position is not only that we must save the individual for the sake of the individual, but that *we must save him for the sake of society*. Society itself can not exert those influences which are necessary for salvation without becoming refined and ennobled and developed in the process. It is a notable fact that there has been a great improvement in the character and capacity of the wardens of the best prisons of the United States in

the last twenty-five years. Reformatory principles and methods not only demand better men to apply them, but help to produce them. It is a fallacious argument, advanced in the name of a purely utilitarian philosophy, that it is more scientific and more economical to kill off the defective and delinquent than it is to save them. Such an assumption is quite as unscientific as it is inhumane. The effect upon society of a humane policy is as marked as it is upon the individual who is to be benefitted by it. One reason why capital punishment has utterly failed as a social protection is because it has lessened the respect for human life, and thus weakened the safeguards against crime. Drastic laws are unphilosophical because they react upon the society that imposes them. No state is regarded as civilized to-day which has not its machinery of salvation, whether it be a fire department, a hospital, or a reformatory. The fire department and the hospital are both needed for the protection of society; but they are also needed for the rescue of the perishing. The true reformatory fulfills precisely the same function. It protects society by secluding elements which are unfit for social life, but it furnishes a regime which educates and prepares the inmate for restoration to society. As it is better for the individual to cherish the highest motives of love and sympathy than cold selfishness and hate, so it is better for society and the state to cherish the most noble sentiments, and embody them in laws and institutions.

Jesus thus anticipated one of the fundamental principles of modern penology—that *the protection of society may be effected through the reformation of the offender*; that it is better to save men than to destroy them.

This being the fundamental principle of the penology of Jesus, what was His method?

III. THE METHOD OF JESUS CURATIVE.

1. His *object* being to cure, His *method* was curative. We find Him applying it to those who are diseased in body and diseased in mind. It is a matter of common knowledge that though we find in Roman law and elsewhere indications that the insane were not regarded as legally responsible, yet for ages, and until within less than half a century, a harsh punitive method was applied to them. We do not find Jesus, however, ordering the

insane to be beaten or to be shut into dark cells, such as those exhibited as models of nineteenth century barbarism at the Paris Exposition of 1900. Here, as everywhere, the method of Jesus was curative.

2. *He dealt with the offender rather than with the offense.*

This is one of the marked differences between the old penology and the new.

For centuries criminal codes punished the offense without any relation to the offender. Offenses were classified with reference to their supposed harm to society, and the penalty was attached to each and every act. Mitigating circumstances were not considered. Under the old German code, if a cow or a horse killed a man, the animal was liable to the penalty just the same; an offense had been committed, and the offender, whoever he was, must be punished. The difference between the old penology and the principles and methods of Jesus is brought out very clearly in a New Testament story. Certain Jews brought an offender before Jesus who was guilty of a capital crime. The penalty of that crime was stoning to death. On the one side stood the accusers, invoking the law which recognized only the offense; on the other side was Jesus, *not pardoning the offense, but pardoning the offender.*

To separate and classify offenders; to study their nature and character and circumstances; to distinguish between degrees of discernment and therefore of responsibility; to make the sentence fit the criminal instead of fitting it to the crime, are among the intelligent aims of modern penologists.

That story reveals another characteristic of the method of Jesus.

3. *Jesus as Probation Officer.*—He gave a practical illustration of the principle of the suspension of sentence. He applied it to what was even a capital crime in His day: "Go and sin no more." Such a principle can only be applied when it is admitted that it is more important to save than to destroy. On the old punitive theory, strictly enforced, probation was impossible. It has taken centuries for this idea to make its way into modern criminal procedure. But in different forms it has found expression in the codes of several of our states—in the codes of France and Belgium, and in the first offenders' act of Great Britain. Impunity to offenders, or indifference as to crime, is one thing, but the conclusion to give the culprit another chance after he has

come under the grasp of the law is another and totally different attitude, and one which is as important for society as it is for the individual. A study of the forces and agencies which are making for the prevention of crime shows that one of the most important things to avoid is the making of criminals out of first offenders. Imprisonment should not be the first resort, but the last.

It is essentially the same principle of suspending the penalty for the good of the offender, and for the good of society that is embodied in laws for conditional liberation, now accepted in some twenty-seven states of the Union and in various countries of Europe. The offender has not served out the full penalty attached to the offense, but the state is seeking his reformation rather than exacting a prescribed amount of suffering. He has reached a period when he may be morally convalescent, so he is released on parole, and the state says to him, "Go and sin no more."

4. *Persistent Offenders.*—The attitude of Jesus, both towards the first offender and the persistent offender, is clearly seen in the eighteenth chapter of Matthew: "If thy brother shall trespass against thee, go and tell him his fault between thee and him alone; if he shall hear thee, thou hast gained thy brother." The rights of the victim were recognized, but with Jesus it was important to save the offender. If he refused to hear, the next step was to take one or more witnesses, that in the mouth of two or three witnesses every word may be established. If the offender still persisted, then an appeal was to be made to the congregation, and, if the offender refused to hear the congregation, then he was justly treated as a heathen and a publican. We have here in three verses an excellent epitome of a rational and intelligent procedure towards offenders. Save the first offender if you can. It is something to have gained thy brother. If this fails, the next step is that of appealing to a section of the congregation such as in modern usage might be represented by a reference, an arbitration, or a minor court. If the offender is still obdurate, then an appeal may be made to the social conscience of the community exercising its judicial functions. This decision, whatever machinery may be employed to arrive at it, must be final. The offender is then regarded as socially unfit. Important as it is to save the offender, it is still more important that society shall not be disintegrated, or its standards debased, or wrong condoned. The socially unfit must be socially excluded. This is the only logical way of dealing

with the persistent offender. But there is no aspect of vengeance in this decision. It is necessary for the moral health of society, and it is equally necessary for the criminal that the standards of justice shall not be relaxed to accommodate them to his defective conscience.

5. *The Great Natural Forces Beneficent.*—Jesus recognized that the great forces which are necessary for the life and health of the innocent are to be equally invoked for the life and health of the offender. "For he maketh the sun to rise on the evil and the good, and sendeth rain on the just and the unjust."

Though the socially unfit must be excluded from society, they are not to be deprived of the forces that are necessary for their physical or moral health. If our object be to cure or reform the offender, we must use all the forces that are healthful and curative. The ancient prison was a dark, dank dungeon, such as the Mamertine prison at Rome, or the old prison at Rothenburg, or the Black Hole at Calcutta, in which men died for want of air, or more slowly for want of food. Detention was but a sure road to elimination. Modern civilization demands something better, but we have not yet passed completely from the old regime to the new. Unless convicted of a capital offense, we are not supposed to deprive prisoners of light or air. But in this country we are still doing both. We feed prisoners abundantly on nourishing food, and then starve their lungs with insufficient or vitiated air. Take the historic prison at Sing Sing. It was built seventy-five years ago. Since that time no direct ray of sunlight has entered into its cells. These cells have but 145 cubic feet of space. Thus each man has only a sixth part of the air which the best prisons allow, and sometimes this sixth part is shared by two men. That prison has been condemned by the board of health as unfit for human habitation, but a false and discreditable economy has been made the excuse for a failure to remedy the evil.

In some of our states bills have been introduced to exclude from prisons all machinery run by steam or electricity, or any other power except hand or foot power. A certain amount of hand labor is desirable for the manual training of prisoners, but the object of these bills is not to educate prisoners, but to forbid them to use any of the great forces which are essential to modern life. In the name of Jesus and in the name of justice I maintain that no state has any moral right to prohibit a prisoner from using

any of the forces of nature by which his power as a man is multiplied for good, and through which he may become of more value to society and of more value to himself.

6. *Prison Labor.*—Jesus taught the divinity of labor. "My Father worketh and I work." There is gospel in labor. It is idleness that is inhuman and ungodlike, that corrupts, disintegrates, and criminalizes. The old form of sentence to "hard labor" assumed that hard labor is a punishment; but modern penologists are agreed that idleness is a still more cruel form of punishment, and when society imposes it it is punishing itself as well as the prisoner; for it is compelled to pay the cost of his support, and it is confirming the criminal in a vicious habit which may have been a potent cause of his crime. It is seldom that you can make a man honest without first making him industrious. There is small gain to society in turning a thief into a pauper.

Jesus taught also that labor should be remunerative. "The laborer is worthy of his hire." Of course, this was not uttered with any direct reference to the labor of prisoners, but there is no indication that they were to be excluded from it. European penologists have long since reached the conclusion that prison labor ought not only to be productive, but also remunerative. It is in this way that labor becomes an immense moral and regenerative force.

7. *Love as a Redemptive Force.*—It goes without saying that Jesus applied to erring men, whether within society or without, the great moral, spiritual, and religious forces which are necessary for the inspiration and the conversion of men. He believed, too, in the potency of love as a redemptive force, as is brought out beautifully in the parable of the prodigal and in the parable of the lost sheep. Love is as clearly a force in the world as steam or electricity, or any other motor force. And love may be applied just as scientifically as any of them. We make a mistake, however, if we conclude that love can only work through soft, flaccid sentimentalism; that it is simply an attitude of feeling towards men that is going to reform them. Against such a theory Jesus furnishes a caution.

8. *Moral Surgery.*—"If thy right eye offend thee, pluck it out." Love, to be effective, must work not only through prayer and milder instrumentalities, but it must work through sacrifice and discipline. It is only through moral surgery that moral

cancers, which are eating into a man's soul, can be removed. The surgeon with his instruments may look relentless and cruel; the patient on the table beneath his knife may seem but a helpless victim, but we know that in that painful operation the highest forces of love may be fulfilled, and all the hopes of loving friends may hang upon the surgeon's firmness and skill. So the prison warden to-day must be a moral surgeon. His discipline may cut, but it cuts that it may cure. The ideal discipline is that which educates and strengthens the will without breaking it, and which develops a man without crushing him.

9. *Prison Visitation.*—Though a man may be unfit for society, and therefore may, by an edict of society, be temporarily or permanently excluded from it, he is not therefore to be excluded from human sympathy. Indeed, this is a distinct reason why human sympathy should be extended to him. Many functions, such as the taking to prisoners of food and clothing, which in the days of Jesus were fulfilled by the visitor, are now fulfilled by the state. Promiseuous and indiscriminate visiting may be an interference with prison discipline, but there is a visitation which is intelligent, sympathetic, and helpful. To interpret the injunction of Jesus in the largest way, we must interpret it to mean that some friendly personal forces must be brought into relation with the life of the prisoner. It is only through personality that the forces of love and helpfulness may be efficient. They may work through the personality of the warden and his assistants; they may work through the personality of the chaplain and the physician; but if the prisoner is to go out into society again he should be made to feel the warmth and pressure of personal forces from society itself. Under our modern parole system there is an opportunity for these personal forces to work. The prisoner may, by conditional liberation, serve half of his sentence outside the prison. Then business men and others in the community have an opportunity to help the prisoner back into an honest reputable life by offering him employment, and extending a friendly hand when he comes out.

10. *Restitution.*—Finally, if we used the methods and forces that Jesus invoked, one effect of that change of character which Jesus contemplated would be illustrated in many cases in the voluntary restitution the prisoner would make, of which Zaccheus is a the New Testament example. At the Fifth International

Prison Congress at Paris, in 1895, and at the Sixth Congress, in Brussels, in 1900, many papers were written on the best way to secure reparation to the victims of crime. It is not easy to meet the difficulties which may arise from the insolvency of the prisoner, and many crimes are wholly irreparable; but one answer to the question is found when the crime is of such a nature that the prisoner is able to make restitution, and when he is so genuinely reformed that he actually does it. There can be no severer test of reformation than this. Perhaps some day we may make our conditional liberation depend in certain cases upon the prisoner's making the restitution that is possible.

11. *Child Saving.*—The principles and methods which I have adduced have been nearly all corrective and reformatory, for the salvation of sinners was the great passion of the life of Jesus, and He came to seek and to save that which was lost. He reasoned that they who were whole had no need of a physician. But we must not forget that the influence and practice of Jesus were likewise preventive. As he was the first probation officer, so he was the first child-saver in Christendom. The disciples stood between Him and the children, but Jesus put them aside. His smile, His blessing, the benign influence of His life must reach child life. Child-saving is the great new method of modern philanthropy, and here it comes into line with the method of Jesus.

12. *His Conception of Law.*—As to the conception of law which Jesus held, He has declared to us that He came not to destroy the law, but to fulfill it. But it is evident from His discourses that He spoke of law not as a legislative or judicial code, but as a principle and method of life. He is constantly appealing from the letter of the code to something higher and better. The penalties to which He called attention were not those affixed by human law-givers, but those which grew out of the inevitable consequences of sin. It is wholly alien to the method of Jesus to substitute legislation for education, and a system of repression for a system of development. The real authority of laws in modern democracy is that they register a social conviction, a conception of social duty, and when this is lacking no law can be enforced. When it is developed, then the law enforces itself. This is seen in the incident, already alluded to, when Jesus was confronted

with the accusers of the woman taken in adultery. "You who have kept this law execute it." Not a stone was cast.

Jesus was not, therefore, an advocate of salvation by legislation. No codes and statutes can take the place of that education into moral and social duty which develops into the highest justice and the most perfect brotherhood.

These, it seems to me, are the essential elements in the penology of Jesus: The rejection of the theory of social vengeance; the substitution of a theory of personal and social salvation; the adoption of a curative instead of a merely punitive method; the application of the penalty to the offender rather than to the offense; the adoption of the suspended sentence or "probation;" the recognition of the fact that the great forces of nature are necessary for moral as well as physical results; the divinity of labor; the application of the moral and spiritual forces the potency of love as a redemptive agent; the necessity of moral surgery for moral cure; the importance of child-saving; the visitation of the prisoner; the establishment of personal relations and the bringing to bear of personal forces, and finally, restitution as one evidence of the reformation of the prisoner. The pivotal point in the penology of Jesus is that which makes the regeneration of the individual the key to the regeneration of society.

Never were the theories of a penologist put to a more searching test than in His own life and death. When suffering untold physical agonies on the cross He was consistent to the last. Then, if ever, He might have invoked the destruction of His murderers. In the supreme hour of His life He repudiated the theory of vengeance or destruction, and treated these men as if they were the victims of a moral delusion. "Father, forgive them; they know not what they do." What more sublime illustration of His confidence in the redemptive forces of love; what more beautiful illustration of His injunction not to forget the prisoner than the words of hope and love to the repentant thief on the cross!

We sometimes hear the phrase, "Back to Jesus." But when we think how much of the truth and inspiration of His love for men is yet unrealized; when we think how slow we are to embody His gospel in our laws and institutions, and in our personal lives; when we think how far in precept and example He is still ahead of us, shall we not rather say: "Forward to Jesus; Forward to Jesus."

PRESIDENT BATT introduced Rev. Henry Hopkins, D. D., as the next speaker, saying that the chaplains were anxious to keep in close touch with the pastors of the churches, and each year invited some one of them to make an address from the outside pastors' point of view.

DR. HOPKINS said that as representing the churches outside of prison work he stood in the presence of the body of chaplains with the deepest respect. Such men were giving not only the tribute of their thought but the service of their lives to the great cause of prison work. He added "I should not do justice to my own feelings if I did not pause for a moment to express my appreciation of the profound and illuminating interpretation of our Lord's teachings to which we have just listened, and which, it seems to me, must be a substantial contribution to the literature of this subject."

DR. HOPKINS then read the following paper:

"WHAT MAY THE PRISON EXPECT OF THE CHURCH AND WHAT MAY
THE CHURCH EXPECT OF THE PRISON?"

The obligation of the church to the prison is implied and necessitated by what the church fundamentally and essentially is. A church is a covenant with a purpose—the purpose to save men and bring in the Kingdom of God. A church whose chief end is to build itself up has forfeited its charter. The deeper the need, the more desperate the situation, of a man or a community, the more binding and urgent is the obligation of the church to help. "The Son of Man is come to seek and to save that which was lost," was Jesus' account of His mission. The church exists to represent Him. His love burned as low as the dust. Wherever debased and suffering humanity can be found, the church must go. Surely every church has a mission to perform, not only on the Jericho road to the bruised and robbed, but in the prison, to the robber. Our Lord's last ministry was to a highwayman. The prison is a part of "all the world" into which the disciples were commanded to go. The great prison population can not be omitted in the proclamation which is to be to "every creature;" and, as if to avoid any possible mistake, the Master enjoins, in direct and most touching terms, this specific duty. The prison has,

therefore, a right to expect of the churches that this obligation, which can not be denied, shall not be ignored or evaded. And in order that it be fulfilled, the prison ought to ask of the churches that they keep themselves informed concerning prison population and prison life; that there be an intelligent comprehension of the practical problems with which prison officials are dealing; that the relation of prison management to the good of the prisoner and to the public welfare be understood. Interest must always depend upon knowledge.

It is necessary to make a frank confession, that the average citizen, as well in the church as out of it, is not intelligent and interested on this subject. He practically ignores it; it does not concern him. It has been committed to those appointed by the proper authorities to care for it; or, if he thinks at all upon it, he has fallen into the prevalent opinion that feeling that the prison population, a vast submerged mass of humanity, is hopeless. If he affects up-to-dateness and special learning, he will probably talk to you, in the technical and somewhat stilted language of the anthropological criminologist, of a criminal type; he will exploit the opinion—which certainly has not yet been derived from any scientific induction—that criminals are a class by themselves, distinctly marked by constant physical characteristics, as, for example, the prognathic jaw, the voluminous and projecting ear—although the small ear is by some characterized as the criminal ear—by zygomatic wrinkles, etc., etc. Because, by reason of malformation, or arrested development, or physical degeneration, there are some below the line of a possible improvement—that is, who are less than human—he superficially and heartlessly concludes that practically the whole multitude of the incarcerated are in a hopeless case. To this average citizen, Christian though he be, the prison is the Valley of Hinnom outside every city, where the refuse and putrefying matter is cast to be destroyed, and where “the fire is not quenched;” or, to change the figure, the prisons are the *cloaca maxima* of our civilization, the sewer, through which flow the excreta of the body politic.

The prison has a right to expect from the churches an intelligent interest in prisoners and prison management. Let us pause to briefly state the reason why. Because of the numbers of people directly involved. Counting those actually behind the

bars, in penitentiaries, reformatories, jails, and workhouses; those discharged from these institutions, those awaiting trial, and the immediate relatives of these, probably four or five to one, and you have a large section of our entire population personally and vitally affected.

Because, also, of the immense waste and damage involved. The total cost of crime, aside from the withdrawal of this vast army from the number of the producers—that which has actually to be borne by the taxpayers—has been estimated as high as \$600,000,000 a year in the United States—more than the value of the cotton or the wheat crop of the country. The connection of this question with the labor problem, with municipal government, police regulation, and all forms of the social and political problem, makes the demand of the prison upon the Christian citizen imperative. More than this, crime is increasing and is growing more bold and uncontrolled. It is threatening the foundation of our civilization, undermining law and government. It is more deadly than bubonic plague, and the infection is spreading. It is rottenness in the blood and bones of the body politic. All that we hold dear is at stake. The prison has a right to call aloud to the sleeping church to wake up to a knowledge of these things. Therefore, the suggestion repeatedly made by this Congress for the observance, once a year in all the churches, of "Prison Sunday" should be persistently urged. If we had to give up a feast day of some patron saint, who no longer defends us, or even the one to "St. Michael and all angels," it would be worth while, in order that we might center thought and prayer on this wrecked and wretched prison humanity, for their saving and our own safety. The denominational and other Christian papers should be urged to give generous and frequent attention to prison and reformatory interests.

The prison has a right to expect of the churches determined, persistent, and scientific effort to prevent crime. Prevention is the watchword of modern reform. Its importance outweighs all other topics. The churches of every city and country should have their co-operating committees to do the best possible things on this line of prevention. It is keeping people out of prison that is our only hope of social salvation. To even mention the suggested methods of prevention of crime would occupy the entire session.

It should be a part of the united activities of the different churches to see that there is carried on, in co-operation with the state, or otherwise, an organized and thorough-going system of providing employment and friendly supervision for discharged prisoners. Nothing more wise and profitable, or more necessary and Christian, could be done than this, already undertaken in many quarters.

The churches should, of set purpose and by prearrangement, help to create a public opinion which will demand the reforms which the students of these problems and the men of largest practical experience agree ought to be. A well-defined and properly educated public sentiment is absolutely essential to any enterprise for the common good.

Lastly, it is the business of the churches to supply the men and women fitted for this prison and reformatory work. This is probably the greatest service which the churches render to society, to raise up leaders furnished with strong impulse, right motives, and needed training. This the churches have always been doing, as the history of the prison reform, and of all great causes, abundantly show.

All of these things the prison ought to ask of the churches. Now let us turn to the other side.

What may the churches ask of the prison? By the prison, I mean not the prison officers, but the authorities who by law organize and govern them.

We should ask that the whole treatment of the criminal fairly represents the best thought and experience of our age, just as we expect our common schools and our hospitals to express what we are at our best. The treatment of the criminal is a criterion of our character, our intelligence, our standing in the scale of civilization. These experts who have visited the jail and workhouse of this city have, through them, judged our whole life.

We should demand that the bruised and broken, the delinquent and desperate, the wicked and the despairing, be dealt with by men and women of high character. It is a testimony from the inside that real results in any prison can be largely measured by the character of the officers of that prison. The manliness and high moral character of the officers is of more consequence than schools or trades, or manual discipline. The prison official, his

temperament, his habits, his morale, his physical condition, the spirit and personality of the man, this is the main thing. Emerson said, "It makes little difference what you learn, the question is with whom did you learn." The principle of this utterance may be applied to the conduct of prison life. All good citizens should join in the demand that prison places should not be among the perquisites of a successful politician; that, like the schools, and even more than the schools, the prison should be out of the reach of the partisan spoilsman.

In many of our states the great prisons and reformatories have reflected lustre upon the commonwealths to which they belong, by reason of the high character and distinguished services of their prison officials. To prove this it would only be necessary to call the roll of this Congress. The crying evils in some of our state penal institutions, and in a majority of our three thousand jails, are due primarily to wrong appointment of officials. Trained men and women, and good men and women, are all that is needed to transform, in due time, the worst prisons and jails into model institutions. Every reform must be first incarnated. The right men brings the right environment.

We have a right to demand in our different states a unification of prison management, so that improvements and reforms which obtain in the best of the state institutions shall obtain also in the county jails and city work-houses. Local responsibility should not be destroyed, but local slovenliness, neglect, and abuse should be made impossible.

Some of the best institutions have a most encouraging and a most suggestive record of reform. They stand as an inspiring object lesson. But, strange as it may seem, it is not, I believe, disputed that from the majority of the places of incarceration, the prisoner comes out worse than he went in; with a loss of self-reliance, of self-respect, of will-power, and of manly ambition. The suggestions of the place have increased his criminality; the contacts have brought positive contamination; or, at best, he has made no progress towards reform. What a strange anomaly is here. These men and women are separated from society for the protection of society, and yet a very large majority of them come back into society more dangerous and burdensome than when they were committed; and we keep up the vicious circle. Do we do it because we are stupid, or wicked, or because we have to?

The fact which we must acknowledge is that most of our jails and work-houses and many of our prisons are still schools of crime. They have grown more comfortable, perhaps too much so, and often humane, but they do not protect society; they still, too often, curse the men and women sent into them. One of our sober prison officials called the common jail a "toboggan slide straight into hell." Of 27,450 persons committed to penal institutions in Massachusetts last year, only 790 were placed under reformatory treatment. In 135 cities there were, in 1900, 700,000 arrests, and for nearly all of them the county jail was the training school for these future American citizens. We banish criminals at enormous expense as a source of infection and danger, and then freely take them back uncured. We turn aside into a sewer a stream that is defiled and black with impurities, and then conduct it back, more foul and black than before, into the river of our common life. You have tied up and kept in grievous captivity the vicious dog that tore your neighbor's child, and now, his legal and statutory time having expired, you let him go unsubdued, without tether or master, in the crowded street. Must we not also add that, as a rule, we send out discharged prisoners under circumstances that make a renewal of the life of crime, if not inevitable, yet the most natural thing. You know the sad old story. They are branded as "jail birds" or "ex-convicts;" few will employ or trust them. We have a right to demand that something better be done. It is the opening of the twentieth century. After years of careful investigation, experimentation, and comparison of views, and after centuries of experience, some things are settled. There is, for instance, no longer doubt that reformation is, for the protection of the public, as well as for the criminal, the proper end of prison management. The slow process by which we have learned this is the disgrace and the tragedy of history. There is no doubt that there must be proper classification among prisoners, or that hard work, and plenty of it, is God's ordinance for human improvement; that regular, interesting, and useful occupation, adapted to their individual aptitudes, must be provided for incarcerated persons. One great cause of crime is the lack of such employment, and there can be no recovery without it. Mr. Brockway is quoted as saying that ninety per cent. of those committed to the Elmira reformatory had never learned a trade. There is no doubt that habits of strict obedience must be

formed; and that hope must be kept alive in the hearts even of convicts.

We have a right to demand, and this is my main contention in this paper, that the last results of time be adopted universally, and embodied in all of our penal institutions. Why not?

At North Adams, Massachusetts, there are various flourishing print mills; they pour their dye stuffs into the clear river that comes down from the Berkshire hills and turn it to blackness. For miles the fish are killed and the stones discolored and ugly. At Williamstown, and from the towns below, clear mountain brooks flow into the blackened current, but they have no appreciable influence in clarifying the stream. The jails and prisons empty steadily into the community a defiled current, and the homes, the schools, and the churches pouring their constant streams of pure life into this river of men, find all their efforts to make it clear and pure nugatory and in vain. We must not, of course, ask of the authorities—that is, of our state governments—an impossibility, but we must not be content to go on to self-destruction. We ought, with all persistence and earnestness, to demand, not for the sake of the prisoner himself alone, but for the common good, that everything that is possible through strict, hard prison discipline; through healthful occupation, and altered physical conditions; through moral incitements, by direct spiritual methods, and by whatever motives and means can be invented and applied, be done to reform the prisoner and restore him to his lost manhood before he comes back among his fellowmen.

I have said nothing on the purely religious question. Let it be understood that all that corrects and humanizes, lifts up and helps to restore manhood, is Christian. Cleanliness, sanitation, workshops, schools, literature, the latest and best methods of dealing with the criminal, these are applied Christianity.

It is, however, impossible for the unprejudiced observer to conceal from himself the fact that these are, after all, an outside manifestation, not the dynamic cause. They are fruits of Christianity, they are helps to Christianity, but there is an inner life and power which is the real gospel. These chaplains, whose intelligent zeal we honor and in whose fellowship we rejoice, they know that the gospel is "the power of God unto salvation unto *every one* that believeth." There is an heredity from God through the new

birth by the power of the Holy Spirit. There is a new spiritual environment by the same power. "If any man be in Christ Jesus, he is a new creature; old things have passed away, and all things have become new." The man born from above, the regenerated man, has a new heredity. The man who is "in Christ Jesus" has a new environment. These cant words of materialistic science may be transformed into watchwords of Christian faith. The age of the supernatural has not passed, it is just beginning to dawn. The day of miracles has not gone by, it is only now approaching. Sociology is its John the Baptist, Evolution is its handmaid. God is in his world in the orderly and beneficent movements of natural law; He is also, under the higher law of His own free spirit, moving on the lives of men. Jesus Christ healed the deaf, dumb, halt, blind, withered, maimed, leprous, palsied, and raised the dead. He told his disciples, "Greater works shall ye do, because I go unto My Father;" and behold the fulfillment. Read this list of the early recorded triumphs and then ask, as one has said, upon which list would you write *non possumus*—"fornicators, idolators, adulterers, effeminate, thieves, covetous, drunkards, revilers, extortioners; such were some of you, but ye are washed, but ye are sanctified, but ye are justified in the name of the Lord Jesus, and by the Spirit of our God."

The supreme miracle is the new man, and this is the one first and greatest need in all reform. That supreme miracle has been continually wrought by the method Jesus foretold when he said "by faith that is in Me" (Acts xxvi: 18). The miracles of the Holy Ghost have never ceased. In every true Christian church, in every mission station, and in every prison where the genuine gospel has penetrated, may be heard this testimony, "We ourselves also were aforetime foolish, disobedient, deceived, serving divers lusts and pleasures, living in malice and envy; hateful and hating one another (surely an anti-social, attitude this); but after that the kindness of God, our Saviour, and His love toward man, appeared, not by works of righteousness which we did ourselves, but according to His mercy He saved us, through the washing of regeneration and renewing of the Holy Ghost, which He poured out upon us richly through Jesus Christ our Saviour." (Titus iii: 3.)

It is all a question of life. "I am come," said Jesus, "that ye might have life, and that ye might have it more abundantly." "I

am the Life." It is more life and fuller that we want, every decadent, every degenerate, every son of man. "Apart from Me ye can do nothing." Any man who undertakes the redemption of the soul of a man, or the redemption of a community of men, has before him an impossible task unless he is in communication with Divine life and power. Outside of prison walls or in the prison, nothing else takes the place of this. Social science can not save the world. The shames and wrongs of humanity can not be righted by simply telling men what they ought to do. This is the outworn and discredited method of the philosophers. Nor by making it easy for them to do, which seems to be the modern panacea. Men need motive and impulse more than they need direction or even opportunity. Of a Spartan prince it is recorded that he tried to make a corpse stand upright at a state function and gave up the attempt, saying, "It needs something within."

Christianity, as Philipps Brooks well said, has never been tried. The church asks that the gospel of Jesus Christ be tried in the prisons; that it be tried in all of its physiological and psychological implications; in all its sociological applications; in cordial alliance with all the latest science of the most advanced penologist in his prison laboratory; but, above all, that it be tried in its mighty personal appeal to the heart and conscience of the individual as a converting power, as a regenerating force of life in the individual man, darkened, crushed, hopeless. This gospel of the love of God, flowing from the heart of Christ, ministered by the Holy Spirit, brought home through love and sacrifice in the living, blessed contact of human brotherhood, and accepted in simple faith, this gospel is still the Power of God unto salvation to every one who believeth. In supreme and undecaying power, it abides to-day the hope of the world. Human nature in the prison and out of the prison is fundamentally one. The rescue parties of the Christian church carry everywhere the same sacred banner of the Cross, and the legend on the banner is always, "*Unto the uttermost.*"

At the conclusion of Dr. Hopkins' paper it was voted that he should be requested to furnish a copy for publication. Chaplain Imbrie said that he understood that all the papers which were read would be printed.

BISHOP SAMUEL FALLOWS, Chicago.—I wish that the address of Dr. Barrows could be printed in every religious paper in the land because it is a presentation of the life of Jesus in a new light. It brings together the great principles of divine philosophy and the practical application of those principles to that part of the world in which we are particularly interested. Then I wish that Dr. Hopkins' paper could go to every warden of every institution and to every keeper of every jail and to the boards of management and trustees of all institutions, for after all it is only Christian teaching and Christian practice which will secure the regeneration or reformation of those unfortunate, misguided and offending ones. Those two papers taken together, like two hemispheres almost complete the exposition of truth from that higher and diviner point of view.

REV. W. THORNTON, Chaplain, Joliet, Ill.—This Association can not engage in any better work than missionary work of this kind. I move that we print at least a thousand copies of each of these two papers in pamphlet form.

BISHOP FALLOWS.—I think that nine out of ten religious papers would be glad to print the paper read by Dr. Barrows.

GEN. BRINKERHOFF thought there were no funds at the disposal of the Association for printing separate pamphlets; if there were he would be delighted to have these papers printed.

MR. BUTLER thought there were institutions that would do the printing, so that only money for postage would have to be raised.

MR. PETER CALDWELL, Superintendent Industrial School of Reform, Louisville, Ky., said that his institution would be glad to print the papers.

The Pontiac reformatory made the same offer.

MR. BUTLER moved to amend by moving that the matter be left with the secretary to arrange for the printing of 2,000 copies.

BISHOP FALLOWS begged to have Mr. Butler include in his amendment that the president be authorized to send a copy to each religious paper with the request of the Association that it should be printed in that paper. MR. BUTLER accepted the suggestion. The amendment was adopted and the motion as a whole was then adopted.

BISHOP FALLOWS said that he would be willing to meet part of the expenses of distribution of these pamphlets.

REV. DAVID J. STARR, Chaplain, Columbus, Ohio.—I count myself happy to have heard the three papers this afternoon. I greatly enjoyed the address of the president and I hope that all of these papers will have the widest circulation. I would now like to submit the report on Prison Sunday.

BISHOP FALLOWS.—I am allowed to say that a friend of mine who is present will give \$25 towards distributing the papers which we have voted to print.

The statement was received with applause.

REV. F. EMORY LYON, Superintendent Central Howard Association, Chicago.—I have come in contact with a good many pastors in my work and I find that nearly all of them are observing Prison Sunday, but many do not know that there is such a thing. In Springfield, Illinois, I found none who were going to observe it. I spoke in six churches there and let them know that it was Prison Sunday. We sent half a column about Prison Sunday to the different Chicago papers, asking pastors to call on us for literature on the subject. Some papers did not give us any space; some gave a short notice and we received some inquiries, especially from the east, but there was very little response from the central west where the papers were supposed to circulate. I agree with Dr. Hopkins that we have a right to demand of the churches greater light upon the subject of prison reform.

REV. W. C. SToudenMIRE, General Agent Maryland Prisoners' Aid Association.—The Baltimore churches are woefully wanting in information on these subjects and often we need their help so much. I preach as often as possible and I use illustrations from my work and thus I let in some light behind the bars. I think that it is important for us as chaplains that we let our work be known to the people in the community. Yesterday was Prison Sunday in Maryland, and I sent a circular letter to every pastor in the state and got the society to send a pamphlet and we had notices in the papers, and while I have not heard the reports yet, still I am convinced that it was one of the best Prison Sundays we have ever had.

DR. HOPKINS asked Chaplain Stoudenmire to tell the Association the result of the religious work by which two hundred prisoners were brought into the church at one time.

MR. SToudenMIRE.—I am glad to state that my work as chaplain is not simply to preach the gospel on Sunday, but to deal in the prison house and shops personally with the men. I began my work by giving systematic religious instruction, teaching the principles of our holy religion and what a Christian ought to believe, of course giving the catechism, the ten commandments, the epistles, the Lord's prayer, and instruction concerning the holy sacraments as they are known to us. At Easter I received 151, the largest number at one time. Before that I had received ninety-six and on one occasion twenty-five. Out of this number we have had very good results, as fair as results on the outside. I do not have any particular church in mind when I preach to the men. I want them to have Christ in mind when I preach and to make a church home in accordance with their own minds. Very few have fallen away after going out.

Q. After a prisoner is converted and acknowledges himself a Christian, supposing he has ten years to serve, is any effort made to relieve him of this term of service or does he serve the full term after he is a Christian?

MR. STROUDENMIRE.—We announce distinctly that our Christian work has nothing to do with pardon or release. We work as hard for the man steeped in crime to get him out as for the man converted to Christ who makes a profession of his faith. We do not want them to come into the religious organization as a means by which they can get a pardon, and we have no trouble on that score.

Q. Is it a good thing to try to get pardons? We are often requested to present pardon and parole papers to the governor. Is it wise to do it? ?

CHAPLAIN IMBRIE.—Our experience has been that prisoners are prone to take advantage of anything of that kind and some times to work on the feelings of Christian workers and profess to be interested in religion for the sake of getting out. Persons actually engaged in prison work have a chance to study those in prison.

MRS. E. R. WHEATON, Tabor, Iowa.—I have had experience in different countries in prison work for eighteen years. It is the salvation of Jesus that is going to bring these people out good citizens. It is not my business to talk to them about parole or

pardon. It is my business to talk to them about the pardon God Almighty can give them. I want to be in harmony with the warden and chaplain and every one, but first of all harmony with God. The Lord has wonderfully blessed my labors. There are some wardens that do not think this is fit work for women. I think so too. I think about one woman in a million ought to do this kind of work and that she ought to go to a phrenologist and have her head examined first. It means business. The wardens who have taken me into their prisons have given me their confidence and their co-operation and I am here to thank God for what I have been able to do. Many a good person is brought up in the Catholic church and I never denounce the Catholic church. They can live a Christian life in that and in any church. I present Jesus and Him crucified, and God who taketh away the sin of the world. The salvation of souls is what you preach. I want to thank all the wardens and chaplains for their kindness and courtesy during these eighteen years. I can look into their faces and say I have tried to do the best I could.

REV. GEORGE J. WARREN, Chaplain Missouri Penitentiary.—As a representative of one of the largest penitentiaries of our country I wish to give my judgment in answer to the question about pardons. Chaplains would better let the pardon question severely alone. They had better help the man or woman to get pardon from above and then if they are incarcerated righteously let them suffer the penalty. I do not believe that a man who has been put into prison rightly for wrong-doing ought to be turned out because he is converted. I violate the laws of God and he forgives me, but the scar on my soul remains. Let the pardon officers of the state consider those matters. They are as a rule honest and do the right thing. If you try to meddle with those things you will be imposed on and I do not care how smart you are or how long you have lived in a prison there is always some man or woman who is just a little sharper than you are and they will get you after a while.

A MEMBER.—It has been said that men go out of prison worse than when they go in. Incarceration has been a failure. If that is true it is a sad thought to all engaged in prison work. It is rather discouraging to those who are endeavoring to reform those who are in prison. But I am not so sure if it is true, that

the prison is responsible for that state of affairs. It is not true that when the man leaves prison he fails to receive proper encouragement at the hands of the church and at the hands of society? Has not the prison a right to demand better treatment for the prisoner when he leaves prison, at the hands of the church and society?

GEN. BRINKERHOFF.—A large majority of those who leave the reformatories, from seventy-five to eighty per cent. are restored to honest life and out of our penitentiaries it is not a fact that a large majority go back to dishonest lives.

REV. W. H. LOCKE, Chaplain Ohio reformatory then read the following paper in place of a paper by Chaplain Orwick, who was prevented from attending by the sudden death of Warden Chamberlain:

THE WORTH OF A BOY.

For a long time the boy has been on the world's market. He has never had a fixed value. At times he has run high up in the scale; at other times he has fallen below par. The fluctuations have touched the utmost extremes. Once he was reckoned as a seer, the harbinger of peace, the prophet of the Highest. At another time a boy was bartered for a harlot, and a girl was sold for wine. In the lapsing years the worth of a boy has moved some points upward in the scale. He commands a better rating to-day in a rising market.

When does the boy cease to be a boy and take on the serious ways of the man? When must we let go of him as a boy and begin to treat with him as a man? The state says the boy is a man when he is twenty-one years old. It is then that he bows out all mentors and shakes himself free from every master. He sits on the front seat and drives. The reins are put into his hands, and so are the consequences of how he drives and where he drives. He is heard where ballots speak and rulers are chosen for the state or the nation. He creates the laws through which the commonwealth lives and moves, and he is the force which conserves their vitality. These are the prerogatives of men; and the boy ceases to be a boy when he comes into this kingdom.

We accept the dictum of the state which fixes the point where the boy is metamorphosed into the man. There is yet to be determined this other point: Where must we begin to account with the boy as a boy? It is declared that "every boy is the tadpole of an archangel," but there is a time when he defies classification. He is neither fish nor fowl. He lives in No-Man's-Land. He has no rights, or he has too many rights. He is ungoverned, or he is overgoverned; he is coddled and compelled; he is coaxed and coerced; he is spanked and spoiled and pitied. He answers to any name. He comes at any call. He has no self-assertion except toward his grandmother, who does not belong to the governing class. He is as proud in the second hand suit of his elder brother as if the whole knickerbocker outfit had never belonged to anybody but himself. He is ready to play the role of Whittier's Barefoot Boy, or Michael Angelo's Cherub. He is wise and simple; he is pathetic and humorous; he is imp and angel at one and the same moment.

Without much grey matter in his brain, and little stiffness in his backbone, and of uncertain commercial value, the world has about agreed that for the first ten years of his life the boy is a kid, and shall be so called. It is not a name to conjure by; but no reflection is meant to be cast on the nascent boy. It is endorsed by usage and has a place in the lexicons. "Are these your kids?" "Yes," replied the mother. "Two of them. I have six, you know—five girls and one boy." We are too careless in the use of the name. We do not sufficiently discriminate. A young child—a small boy—is a kid. It is the synonym for an innocent one—one easily imposed upon—one readily led about, and not hard to deceive. The definition fairly represents a boy—a kid—who has not yet known his first decade of years. It has remained for the chief justice of the courts of New Jersey to fix the commercial value of a kid. If such an embryo boy should be killed by a trolley car in the streets of the metropolis, or on the suburban highway, the parents are entitled to demand any sum of money all the way from six cents to one dollar!

Let us say, then, that the full-fledged boy begins at ten years, and rounds out into a full-fledged man at twenty-one years. For ten years and more, we have the boy on our hands to find out what he is in himself and how much he is worth. Ten splendid years!

Years when life is at the spring ; formative years ; foundation laying years ; structure building years ; years at the beginning of things, whose near or remote endings shall evolve demons or angels.

No stock exchange is this, but a Prison Congress. Not any the less, we are dealing with values, and speculating in futures ; but the values are not commercial values. If futures are dealt in, they do not concern the future of trade adventures, nor the outcome of capital combinations. Dollars and cents are not the units that counts in estimating the worth of a boy. And yet the boy has a money value just as surely as a ship load of iron ore has its value. Not of startling worth is a load of red ore fresh from the mines. But the Bessemer steel which it hides in its million atoms can crush a state or make a nation.

There are qualities of mind, and dispositions of the heart, and attunements of the soul, counting for more than ingots of steel or nuggets of gold, which enter into the estimate of a boy. There came into the home of a merchant in England, a baby with a crooked body, and defective eyes, and a sickly constitution. What would such a boy as that be worth balanced in the scales with gold? If that boy had come into a poor man's hut, it would have been thought a pitiful calamity. At seventeen years the boy with the crooked and deformed body had mastered himself and entered upon a high literary career. At thirty years he was acknowledged as one of the poets of England ; and men forgot the ill-favored body in the high attuned soul.

**"All discord is harmony not understood,
And partial evil universal good".**

The profound fact that a boy has mind and heart and soul to begin with, stamps at once his real worth. Here is every boy's splendid endowment—mind and heart and soul. Who can tell the worth of a soul? Who can put a value on the mind? Who can compute such a treasure as the human heart? Rich in his own right, the boy is to grow richer by growth. Knowing how much capital he possesses in these splendid qualities, it can be known what he is worth by the lines of growth toward which he may be attracted, and which he shall choose to follow. There is a rational way of going in which all the finer elements of mind and heart develope harmoniously and beautifully. There is an irra-

tional way of going in which all the finer elements of mind and heart will be repressed and dwarfed, and ruined. The boy will fail in the investment of his original capital; and when he ceases to be a boy and comes to be a man, the man will fail.

Boys are things that men are made of; and men are things that God is waiting for—waiting that they may come to His help—waiting that this world may be redeemed from vice and sin, and that crime may be made less possible. The worth of the boy is in potentialities. He has intrinsic value, but it requires vigilant manipulation. The boy has the “faults of his qualities”. There is an annealing period—a period of the conservation of forces—a period of tempering and of toughening. “Man is a biped with the viciousness of a quadruped.” The boy is a biped. If the viciousness of the beast is to disappear, no vice, whose congesting grip would throttle the development of any part of the complex boy, or disturb the proportional growth of mind and heart and soul, must fix itself on him.

The drinking of intoxicants takes away from the boy something that he cannot spare on his way to the highest manhood. It destroys the fineness of his moral and intellectual fibre; and the tension of his muscular fibre. It makes him weak to endure a physical strain; it makes him dull of intellect; it takes the resisting quality from his will and leaves him an easy prey of every designing rascal. It blunts his conception of right and wrong; it makes a falsifier and a liar of him, when he is disposed to tell the truth. It makes a thief of him when in his heart he would be straightforward and honest. “Whiskey will make a man rob his own trunk.” It destroys all the instincts of a gentleman and leaves the boy repulsive in manners and disgusting in habits.

If the drinking of intoxicants takes away from the boy something that he cannot spare, it must be said, with equal emphasis, that the use of narcotics imposes upon a boy something which he does not want to carry, and something that it is hard for him to shake off. It injects poison into his blood, and diseases every brain cell. It puts to sleep nerve centres that should be wide awake and active. It awakens nerve centres and fills them with a fierce energy that should be kept quiet and serene and under masterful control. When a boy like that, full of defects from intoxicants and full of poisonous excesses from narcotics, ceases

to be a boy and comes to be a man, he is not at all the kind of man who is needed. The world has no use for him; society has no place for him but the reformatory or the penitentiary.

The fact that the boy starts forth as a new and distinct creation, adds incalculably to his intrinsic worth. Every boy is *primus*. He stands by himself. He is unlike every other boy, though so like them all in shape and form. In the pose of his head, in the possession of two legs, two arms, two eyes, two ears, one nose, one mouth, he is like his brother or his cousin, or the boy who lives within the next door to him. But each boy is a new creation; he cuts loose from everything that has gone before him and sails his ship by a new tack over an unexplored sea. The two yachts, that made the splendid race for the coveted cup were so nearly alike in all general appearances as to be mistaken the one for the other. They carried the same canvas, they were propelled by the same breezes, they sailed over the same seas. But when you came to the mind and soul and spirit—the living thing within—which animated the flying ships, there was difference enough to bring defeat to the one and victory to the other.

Let us not be bewildered or hindered with the doctrine of heredity. It is a myth that every boy must be of the mold of his father or his grandfather. A worthless father wrote beseeching letters to his much abused wife begging her to get him out of prison. "John don't take on so," was her reply. "The children are hearty; Sammy is not a bit like you. We are doing very well without you." Thank God for good fathers and good grandfathers. A boy may imitate the virtues of worthy ancestors and by his own efforts he may share their worthiness. But he cannot inherit the goodness of his father, and there is no power that can impose upon him his father's badness. Every boy starts in life for himself and with his own capital. We speak the name of Jonathan Edwards with love and affection for what he did toward making the world better. We speak the name of Aaron Burr as one who was a knave and a scoundrel, and yet they were tethered by bonds of the same blood. "Maggie's baby is awful cute. It has eyes like the Armstrongs, and a pug nose like Aunt Liza." But despite eyes and pug nose, every boy is a new creation, irresponsible for anybody but himself; inheriting nobody's unrighteousness nor accredited with anybody's righteousness. In his

own name he may redeem a bad family name; in his own name he may perpetuate a good family name. The ghosts of every boy's ancestors are interested in him. The good want the lines of goodness extended by him; the bad want all the ill effects of their bad lives to end in his higher and nobler life. "Say not some evil instinct inherited, or that some trait inborn, makes your life forlorn, and brings down punishment unmerited. Back of the parents and the grandparents lies the Eternal Will; that, too, is your inheritance, sure lever to success to him who tries."

There is a travesty of the boy pitiful to all eyes. It is the deplorable product of the rapid pace at which modern life is set, and from which no way of escape is in sight. He is the man-boy, the boy who has been jostled from his place and robbed of his natural right to be a boy. I do not mean the *manly* boy, who so often wins your sincere admiration; but the boy who has been pushed out too soon into the sphere of the man. "How can a man live on pay like that," were the words that I heard so quickly spoken as to attract my attention. It was a boy, less than fourteen years old, speaking of himself as a man, and beginning thus early the irrepressible conflict between the wage earner and the wage giver. I dare say you have seen a boy of ten years masquerading in the attire of a boy of eighteen years. He looked the picture of a veritable scare-crow from the adjacent cornfield. The man-boy is a pitiful masquerader, at once grotesque and pathetic; taking life all too seriously; with a boy's vivacity worked out; with a boy's humor suppressed under

"The heavy and the weary weight,
Of all this unintelligible world".

The worth of the boy is brought out in fine perspective as we view him the sole possessor of qualities which belong only to the boy. There is a suppleness and a flexibility about him which are his birthright. He changes his place and his position with wonderful readiness. One man said of another that he was like Euclid's definition of a point: "He had neither parts nor magnitude, but he had *position*." It is much the same with a boy. He may not have parts nor magnitude, but he has *position*; and he can change it with the readiness of the sprite who put a girdle around the world. A colored boy in our institution was asked what calling he had followed, "Well, sah, I qualified for an editor;

but I found it more profitable to be a waiter; and it was easy to change." A boy's mind and heart and soul are much like his body. They are not rigid but yielding; they are not set but flexible. They turn toward new forms and rapidly assume new shapes. If a boy is in the wrong way he can sooner than a man get into the right way. "The next best thing to *being* right, is to *become* right." There is more sympathy for a boy in the wrong than for a man. The Austrian minister to Brazil drew down upon himself the popular indignation and fury because he unmercifully whipped a boy whom he caught stealing flowers from his garden. So intense was the feeling that the Austrian was obliged to resign and go back to his own country. The boy is flexible—he can be turned from wrong to right. He can be smoothed out from crookedness to straightness. He can be mended; and the boy is worth all the care and trouble of mending him.

In every venture to assess the worth of the boy, it must never be forgotten that the boy is the product of the home. The foundation laying and the character building for earth and sky are done in the home. In the language of the president of Bowdoin college, the home "must stand for honest industry, healthful social intercourse, good schools, good libraries. It must be the foe of laziness, hard-heartedness, cruelty." The home, "closing in a world of love and shutting out a world of care," must help the boy to master his weaknesses and to fight his temptations. Say what you will, there is no foe to the home like the saloon. The saloon and the home are hereditary enemies. The home will perish without the boy. The saloon, hard-hearted and cruel, despoils him and kills him. "A saloon can no more be run without using up boys than a flouring mill without wheat, or a saw mill without logs." The boy can go from the home to the saloon; but from the saloon back to the home is hard to find.

The home must not loose its grip upon the boy. The home can plant seed in his heart that will flower into the life eternal. The home can put the strain of a song into the soul of the boy that will sing on forever. •

"I head a mother croon to her child
A song as I wandered by—
A song that would sing the stars to sleep,
In the cradle of the sky.
I saw an old man close his eye
In restful sleep. God send
As sweet a rest to my weary frame
When I come to my journey's end!
And I thought of the years that lay between,
Of the darkness and the doubt;
But God is good—there is peace at the gate
When a soul goes in or out."

In bringing the boy before this Prison Congress, I am not committing the mistake of the Scotch minister who preached two hours on the sin of luxury, when there were not six pairs of shoes in all the kirk. The boy is known to these wardens and superintendents and chaplains. The high tide in the criminal life is from eighteen years to twenty-three years. We are after the boy before the tide carries him out into the hopelessness of the sea. Every boy who gets into prison breaks through the sheltering hedge-row of loving care which the home has planted about him or he has been altogether lacking in home care. The one must be brought back to the loving care he has cast aside and forgotten; and the other must be taught the beautiful things which make for his peace, but things he has never felt and never known. Reformatory prisons are for these boys. The man of thirty years enjoying life and liberty, rarely changes in the trend of his thought or the complexion of his convictions. The man of thirty years and in prison for the deeds of an outlaw, more rarely changes in thought or in purpose. It is the boy who can change. It is the boy broken and defaced by vice who can be mended. The gold band of a costly diamond ring snapped suddenly in two. The ring could not be worn and it was laid away with all its beauties hidden from sight. But the jeweler knew what to do with the broken ring. There is a way of soldering gold and the ring was mended. The diamond sparkled in the light as of old. Nobody asked to see the scarred and broken spot. Nobody cared to see it. It was the diamond's flash that all eyes saw and admired. "How many bad boys does it take to make a good one?" "One, if you treat him well." Not the man can be mended but the boy and the boy is worth mending.

PRESIDENT BATT.—The chairman of this meeting is greatly obliged for the presence and assistance of all who are here to-day. The chaplains are anxious to contribute their part towards the Congress.

PRESIDENT SCOTT.—If all the sessions of the National Prison Association rose to the standard of the Chaplains' Association they would have nothing to fear.

On motion the report on Prison Sunday was then accepted and adopted as follows:

REPORT OF COMMITTEE ON PRISON SUNDAY.

Your committee appointed at the Cleveland Congress on the observance of Prison Sunday report with pleasure that they have everywhere found kindly responses to their request for the observance of Prison Sunday. A circular of information was prepared, and mailed, to Ministerial Associations, Conferences and Pastors' Unions, in connection with an appeal for addresses on Prison Reform, the moral and religious welfare of prisoners and related subjects. An offer was also made to send prison papers to those pastors who would observe Prison Sunday. These were scattered through several states, and the results were most encouraging. Religious and secular newspapers printed our appeal, and the information given. We have found a greater interest in prisoners, and their welfare developed in the public mind. We should respectfully recommend that the chaplains of all state penitentiaries be a committee to co-operate with other helpers in securing the observance of Prison Sunday in 1902 in their respective states.

Respectfully submitted,

D. J. STARR,

W. A. LOCKE,

WM. BUTLER,

Committee.

The thanks of the Association were especially conveyed to Rev. Dr. Hopkins and to Hon. S. J. Barrows for their very valuable contributions to the meeting.

Also Mr. Tallack's tract, "The Anarchist Movement in both Hemispheres," published by the Howard Association in London, addressed to the Chaplain's Association, was acknowledged.

MONDAY—EVENING SESSION.

The sixth session of the National Prison Association was called to order at 8 o'clock by the President, who introduced Dr. Robert Brockway Lamb, Medical Superintendent Dannemora State Hospital, New York, who read the following paper :

THE IMBECILE CRIMINAL.

Mr. President and Gentlemen: It may appear to you that the matter discussed in this brief paper would be better brought before an association of legal gentlemen, than before an association, the members of which have for their work the care of the criminal after the members of the legal profession have done their utmost for him. But I daresay that many of you now here have, in the great institutions under your charge, a number of imbeciles who have been unfortunate in that their mental limitations have not been discovered or inquired into at the time of their arraignments before the courts; or that if these defects have been discovered, that they have been passed over with indifference that the law, in its strict interpretation, might be carried out.

This same law seems to me to be one of the greatest obstacles to the advanced treatment of the offender. The law holds now, and has for years virtually held that all men once accused of a crime and put on trial therefor, are equal before the courts. So they should be, except that the first function of the court is to see that justice is done: Justice to society first, then to the offender; and this can *not* be done as long as offenders are considered as a class and not as individuals.

The modern criminologist, as opposed to the law, holds that personal recognition must be the primary movement in any successful solution of the criminal problem, and his most earnest hope is that the courts and all others who have to deal with the criminal classes may gradually awaken to the realization that men, even if accused of crime, can not be equitably handled and treated like equal numbers of bits of wood or stone. Each prisoner has his

own temperament, manner and habits; each has had his own peculiar environment, and each should have his own personal justice administered according to these known facts. I do not say or intimate that there should be a separate law for each prisoner; only that there should be an individual application of the general law, the court making diligent inquiries, and taking such advice as may be necessary to secure the best possible judgment.

The sentence once determined, should not be considered as retaliatory, but as the best possible remedy for a disease just made manifest by violation of the common laws of society. Once the era for this is with us, we may be sure that the mental poise of the criminal will receive far more attention than has been given it in the past.

Among criminals examined and found mentally deranged, those showing feeble minds as the result of arrested mental development will figure in an astonishingly large proportion. I am not unaware of the attitude of the populace toward the criminal who makes the plea of insanity or imbecility his chief defense. The laity commonly suppose that this is done so that the prisoner may escape with a light punishment, and that he is not at all insane or incompetent. But if the lunatics committed to a hospital for insane criminals are followed, and comparison is made to an equal number of men sent to prisons, penitentiaries or reformatories for similar offenses, it will be seen that the actual period of confinement is longer in the lunatic hospital than in the prison or penitentiary.

I have seen within the past ten years more than six hundred patients, adjudged lunatics by the courts of New York state and sent to the state hospital for insane criminals; in that number there have been but two cases where insanity was not plainly apparent and demonstratable—in most instances to an ordinary layman. The fallacy of the common belief that the plea of insanity conduces to a short sentence, and that it is a false plea, is not therefore supported by figures readily available to any one who may desire to make inquiry for them.

On the other hand there are numerous instances in which grave injustice is done to both society and the prisoner by committing him to a prison or reformatory when his mental processes

are so defective or deranged as to preclude his getting on in either institution. If sent to the reformatory, the imbecile is actually discriminated against in that he, though a primary offender, must serve the maximum sentence simply because of his inability to meet the intellectual standard required for a parole. The reformatory suffers too, since an aggregation of defectives clogs its routine, impairs its efficiency, and belittles its purpose.

Before me is a list of seventy-eight patients transferred from the Elmira reformatory as insane during a single year. Of this seventy-eight, twenty-eight are undoubtedly imbeciles, and two are of such defective mental endowment that they might properly be called unteachable idiots.

At this point it might not be amiss to distinguish between the words idiot and imbecile; words sometimes thought to be synonymous. For our purpose it will be sufficient to say that the idiot possesses no mental faculties and never has had any. He has been so since birth and will be so until his death. He can be taught nothing because of his lack of mind.

The imbecile, on the other hand, possesses certain mental endowment at birth, and in his early life he may not have been noticeably different from other children. But for some reason his brain has failed to develop with his body. So while he has become a man in stature and in a physical sense, his mental attainments and will power will always be lower than those shown by a normally constituted individual of equal station and advantage. Unlike the idiot, he can be taught in certain directions largely manual, the teaching being objective.

The line of demarcation between the imbecile of the higher type and the sane individual is not always clearly evident, and no superficial examination will decide to which class the offender belongs. It is within the province of the court to make *searching* and *thorough* investigation concerning the offender, and to sentence wisely and having in mind all facts bearing on his case.

Yet, the last year book (the twenty-fifth) of the Elmira reformatory cites an instance in which a high grade idiot was sentenced to the reformatory by a justice of the supreme court, after he had been advised of the mental defect of the prisoner by two legally qualified examiners in lunacy.

There is in the Dannemora state hospital, a negro who was convicted of murder in the first degree. A commission had

examined him and reported him as nearly akin to an idiot, but responsible for his crime. The governor of the state however, did not think that he could be nearly an idiot and responsible for any act, criminal or otherwise, so he commuted his sentence to life imprisonment.

Soon after he was received in prison it was seen that he was simple minded, and had little or no control over himself. He occasionally suffered from petit epileptic seizures. While the seizures were mild, the mental excitation accompanying them was like the rage of a wild animal. His eyes would twitch rapidly; he would strike his head against the wall, and during the active period of the seizure he was oblivious to every thing around him, so that his attention could not be gained. The muscular spasms usually defined with more or less regularity, were difficult to recognize, and sometimes absent. The seizures came periodically at intervals of from three to four months. Between them the patient was tractable, quiet, and an industrious worker in a manual way.

He had some intelligence, but more cunning. He would joke, answer questions readily, execute small errands and give other signs of reason. His facial expression was bright, and his countenance smiling enough to deceive any one as to his true mental capacity.

Yet one of my assistants labored fruitlessly for months trying to teach him how to tell the time of day; another tried him at arithmetic but was unable to get him so that he could count the fingers on his two hands with any certainty.

He performed porter's work about the hospital. Many visitors saw him and commented on his smart appearance. They questioned his insanity. But we know that his mind was infantile and undeveloped while his body had attained proper proportions. failure to consider him as other than an imbecile would be impossible after a little observation and questioning.

A case before the courts of our state less than a month ago attracted my attention. With your consent I will lay it before you, and place it in direct comparison with the description of a characteristic case of insanity as described in a standard text book on mental disease.

For convenience we will read from the text book first. Here is the case: "The man is twenty-five years old. When a child he was well developed and apparently like other children until he was three or four years old, when it was noticed that he was not so bright, imitative or observant as a child of that age should be. Speech was long in coming and difficult to learn.

"As he grew older he could learn nothing at school; his school-fellows annoyed him, and he showed ungovernable passion and violence. (But not all imbeciles are violent.) At puberty he became difficult to manage at home. He became so irritable and violent that he had to be sent to an asylum for care.

"At a short distance he is an ordinary looking young man. But when you observe him closely, you see there is a weakness in his facial expression, a lack of mind in his eye, a sort of shuffle in his walk, and his movements lack purpose and conciseness. You see that he has no force in him; that he is unfit to guide himself; to manage his affairs; to earn his livelihood or to resist temptation put in his way. He is a fair representative of the type, and persons of this type are often the dupes of designing people; can not resist temptation or control natural desires, and are often confirmed dipsomaniacs. The lack of reasoning however, is always absent. Inhibition is as a rule wanting, though certain imbeciles have unreasonable will power in some few directions, while in others it is woefully absent."

So much for the text book. Now about the case in court referred to before: There was some question as to the mental condition of the prisoner who was accused of murder in the first degree. I beg to read a portion of the commission appointed by the court to examine him:

"We find and report to the court that the prisoner was born on a farm twenty-one years ago; that he has lived and worked on a farm irregularly, from the age of six or seven to the age of fourteen; that he made little or no progress in his studies, and was backward in his development and growth; that he had sufficient intelligence to perform farm work; that he is a person of inferior mental capacity and moral sensibility—being below the average person of like circumstances and equal advantages in both respects; and that he is a person of weak will and easily led or influenced by others; and without sufficient will power or mind of

his own to long resist suggestion or persuasion from one stronger than himself."

Here I want to call your particular attention to these two reports. The case quoted in the book might properly be taken out, and the report of the learned commission be substituted for it with no harm to the text book, or a particle of change in the ideas of its author. Or, the case in the text book, barring certain minor points as age, early history and so forth, might be substituted for the report of the commission to the court, and yet despite their finding what I have just read, the commission found that the prisoner had reasoning power enough to distinguish between right and wrong, and so reported him as responsible for his crime. The court knowing full well the nature of the case, and on hearing the report of the commission, accepted the plea of manslaughter, and the prisoner was sentenced to fifteen years in prison. What will be the result? The boy—for he is but a boy in manner and appearance—enters prison at the age of twenty-one. Less commutation for good conduct, his sentence will be practically ten years.

At thirty-one years of age he will go out into the world again. Will he be a less serious menace to the safety of life than before he entered the prison? Would the court that tried and sentenced him be the more willing to assume responsibility for his acts because of the long incarceration suffered at its hands? Shall he have gained habits of industry and self-reliance while in prison? Shall his years of penal servitude compensate for the life of his victim or in any sense promise society immunity from a repetition of his crime?

Shall any one presume to say that his mind has gained in firmness and vigor by contact with a miscellaneous collection of criminals? His history has shown that it did not while he was at school. If it would not do so under these favorable auspices, it would scarcely be reasonable to expect it to strengthen under the influence of a prison environment, never to be commended to a youth even if he is slow of perception, and a dullard if compared to the normal.

But the imbecile is *not* always slow of perception. Any education he may have has been gained by his powers of observation; hence the need for having him in touch with right

minded people. Yet, society represented by a high tribunal has said that ten years of imprisonment shall be a proper penalty for the crime, and that at the end of this period the murderer shall be a free man. It has done so calmly, after having learned that the accused is weak minded and "without sufficient will power or mind of his own to long resist suggestion or persuasion from one stronger than himself." I quote the words of the commission.

For my own personal satisfaction I examined the prisoner just referred to, and found that in addition to the defects reported by the commission that he suffers from Chorea (St. Vitus' Dance) that the tremor and muscular twitchings are nearly constant; that his father was an epileptic, and that the prisoner's mind is no stronger than that shown by a boy of half his years. If he lives to three score and ten, his intellectual capacity will be just as it is now.

I might go on and tell you of other instances within my knowledge until you might wish me to cease. But the cases placed before you are so representative of the class, that any repetition is unnecessary. They are the histories of typical imbeciles of the criminal type because of some bad influence exerted over them.

It is not far from fifty years since New York established her hospital for insane criminals. The example has been copied by several foreign countries and by sister states. This institution has gradually accumulated the most dangerous criminals in the state. Dangerous largely because of their mental derangements. The hospital confines them during their mental unbalance regardless of sentence. By this continued confinement society is protected from them. Nor is the cost of their maintenance expensive when the cost of their trials would have to be considered if they were periodically released from prison, only to be returned in a short time.

One imbecile now in hospital confinement as an incurable lunatic was before the Brooklyn courts no less than eleven times in four years, and her mental state at that time was as good as it is now.

I have had but one object in coming before you and telling you of the imbecile, of his characteristics, and of the frequent failure to recognize him. It is that you individually, and as members of this great association may use your influence to secure

the more careful weighing of the mentally defective prisoner and to provide for his care.

If anything I have said shall do this, or if it shall even cause one of you to think that *any* offender *may* be an imbecile and irresponsible for his acts, I shall be thankful for the privilege of presenting this little paper for your consideration, and shall not consider the effort as without reward.

DISCUSSION ON IMBECILITY.

MR. BARROWS.—Do you think the legal definition of insanity and imbecility is sufficiently broad to meet the needs of judicial procedure in dealing with these cases?

DR. LAMB.—I infer that you refer to the legal definition as the power to distinguish between right and wrong. No, I do not, because if a boy or imbecile has no will power of his own and is perfectly unable to resist temptation I do not think he ought to be held responsible. The normal man has an impulse to do right or do wrong, but being normal there is a counter influence that resists. The imbecile lacks the counter influence and he should not be held responsible. This boy will not be any better at the end of ten years and is just as likely to do the same act over again as though he had not been sent to prison and he will not learn anything good while he is here.

GEN. BRINKERHOFF.—What provision is made in the state hospitals for homicidal cases?

DR. LAMB.—The attendant knows whether the case is homicidal or not and is always instructed to keep such men under close observation. Such a case is thoroughly searched. He is always put in the charge of one attendant in the dining room. If he can not be managed in the dining room he is put under a special attendant in a single room. The tendency is to throw dishes. If he goes into the airing court he is searched again when he is brought in so that he can not bring in stones for sling shot. It is only by careful observation that you can care for homicidal cases. There are times when they are homicidal because they fancy men are calling them names. If you can occupy a man of that kind so that he will not hear these imaginary voices he will get on. We have one man who has been employed on the building who was

considered absolutely untrustworthy who works eight hours a day now and he is so exhausted by night that he sleeps better than he did and is harmless during the day.

Q.—You said that an imbecile would learn nothing good while in prison. You mean that he would not be capable of learning anything?

DR. LAMB.—I would qualify that. Anything that he learns would be from seeing other people do it. He cannot learn from a book. He cannot be taught a trade that takes mental power. He can only follow some one. He cannot figure anything more than a child of eight or nine.

PRESIDENT SCOTT.—Every warden is impressed with the amount of insanity in prison and he sometimes hesitates to weed out the insane because of the comments of the press. But with the establishment of these hospitals for the criminal insane it is brought home to us that we should not wait for the development of these cases so that they are apparent to every one, but our whole prison population should be looked over at the beginning to see if such persons have been committed to reformatories and penal institutions and at once transferred to hospitals for the insane. I will not call for a formal vote, but as Dr. Lamb has to leave I am sure you will want me to thank him for his admirable paper. I have now the pleasure of introducing Dr. S. G. Smith, of St. Paul, to whose paper we have all been looking forward with pleasure.

DR. SMITH.—I regard it as an honor to be permitted to address this audience of experts upon penology, who I believe have no serious rivals in the world, and I say that after having been in contact with prison men in the leading European countries I never come to this Association without feeling myself enriched intellectually, broadened in sympathy and guided in my practical activities. I may hope also that we who study your problems from a speculative standpoint may possibly bring some truths to you that while it will not pay our debt to you will at least recognize the extent of our obligation.

DR. SMITH then made the following address:

PSYCHOLOGY OF CRIME.

BY REV. SAMUEL C. SMITH, D. D.

The question of the physical origin of crime is practically settled. In spite of the ingenious marshaling of degenerate signs and tokens, it is evident that one criminal with normal body and brain, or one good citizen with abnormal body and brain would destroy the whole structural theory of crime, but since there are thousands of normal criminals and tens of thousands of abnormally developed citizens, it is manifest that we are delivered from the fatalism of the flesh, and are free to put more serious thinking into the subject.

Two facts of immense moment in their bearing upon questions of criminal anthropology may be mentioned:

The structure and size of the human brain have not changed in historic times, but the social capacity of the race has been enormously increased, and his whole intellectual life has been revolutionized. The brain may be the organ of the mind, but it does not hold the mind a prisoner, nor does it even register the units of intellectual force.

The standards of conduct have been widely different at different times in human history, but there is not a scintilla of evidence that either physical stigma or brain structure have changed in like manner.

It is now necessary to examine the data of criminal psychology for a deeper reading of the facts of human motive and conduct. The ordinary method in this branch of the subject is one which has become quite familiar to those acquainted with the literature of the subject. Like criminal anthropology it seeks the segregation of a particular type of man, and as that branch of research selects him by certain physical marks, so the psychology built upon the same methods notes certain emotional and mental peculiarities, such as insensibility, instability, vanity, and the like, with the same practical result in the doctrine of the fatalism of conduct and the destruction of human responsibility. I hope to show that this method is essentially unscientific in that

it does not include or explain the facts, and that it is unpractical in that it not only gives no aid to the solution of social problems, but on the other hand makes them permanently unsolvable by denying the doctrine of social control, since it destroys the doctrine of self-control.

The old view of man saw in him an isolated individual, who could be studied, guided, and held responsible in and for himself. The theory was based upon the view of man as a spiritual being: In spite of its saving doctrine of original sin, the view was unscientific in that it neglected such factors as race, sex, climate, and environment in the manifestation of crime. Its critics have done good work in showing its shortcomings, and with its decline has weakened the faith in easy emotional conversions as the sufficient basis of permanent reform. But the world is not richer but poorer, if it exchanges this old doctrine for either of the two principal candidates for recognition in its place. One theory teaches that he is a physical product, and his acts are the spontaneous result of his organism. The other theory asserts that he is purely a social product, and his acts are really those of society. Both theories present man as a being without self-control, and neither does he deserve praise when he does well or blame when he does ill, for in neither case is he to be regarded as a self-determining human personality. It would seem that the time has come for an impartial study of the facts in order that a scientific method may secure the valid results of sound thinking.

It is first necessary to analyze with some care the fact of heredity. Other animals are born with a certain maturity. The law seems to be that the lower the form of life, the more complete the preparation for living before birth. The insect is born ready for business, the child is born in a sad state indeed. Further, the savage child is more precocious than the child of civilized parentage. In other words, the higher the form of life, the less efficient is the physical inheritance, and of course the less predetermined the quality of its future activities. To put the thought in another form, the more perfect the organism at birth, the less is it possible for the animal to learn, and since the human animal has so much to learn and so much to do, it is born into the world with the godlike endowment of the greatest helplessness. It is evident therefore that in man physical inheritance in the form of fixed

determination reaches its lowest point, and that the ascent of life has been marked by a steady diminution of predetermined and instinctive activities. The same doctrine is taught by an examination of psychological psychology. The lower animals are born with the nervous system in practically complete correspondence with the body and its activities. But the human animal, born indeed with the spinal and lower cerebral plexuses organized, and at work to control the unconscious vital functions which must go on prior to self-consciousness and independent of it, or the life must perish, has the immense advantage of the large and unorganized mass of gray matter in the brain. All the lessons of muscular and sensory activity are recorded in this brain as they are learned, so we are taught by Flechzig and other authorities, and so the human animal comes to have a wide range of actions under his control, and soon surpasses his nimble but too precocious relative in the lower ranks of animal life. But it is now time to ask the nature of the process by which the human being organizes that life which is thus registered in the brain.

The social inheritance of every life will be found to be in the inverse proportion to the completeness of its physical inheritance. It is obvious that the more mature the animal is at birth the less it has to learn from its older companions. The comparative helplessness of infancy is the precise measure of social capacity, whether the phenomenon be studied in a man, or a dog, or a butterfly. The helpless child born into the world in profound weakness and ignorance finds himself surrounded with an enormous social apparatus for his instruction and guidance. Physical heredity is largely alike for different individuals under like conditions. The chief difference is in the varying degrees of strength inherited by them. But whatever residuum of physical heredity there may be can be studied under other terms since the parents themselves are the product of the social and physical influences under which they live after birth. And the further back the series of ancestry is projected as an object of inquiry, the less efficient becomes the physical element when regarded as a factor by itself alone.

Social inheritance may be studied under terms of either environment or heredity. When it is considered as the complex of influences about the child it is environment, but when considered

as the permanent result of generations of human living it must be regarded as social heredity. For convenience let us look at these influences from the point of view of environment. The much abused word lends itself to a further analysis, when we inquire as to the nature of the influences that surround man. Savage man is the creature that responds most to the limitations of climate, soil, food supply and occupation. At the same time he is poorest in the elements of social organization. Civilized man protests against his physical limitations and largely and successfully combats their influence. We at once see this fact: Environment in the lower races is largely physical, but human progress may be measured in terms of its elimination. The more civilized man is, the more his environment becomes social and psychical. Moreover physical environment is largely without, and social environment is measureably within human control. The civilized man therefore, reduces the importance of both physical inheritance and physical environment to their lowest terms.

The influences that shape the human individual are not only physical therefore, but they are chiefly to be expressed in terms in social organization. They are human institutions, ideas, manners, customs, laws, and language, spoken or written, which is the chief instrument of human association. Every child born into the world must submit himself to teachers and learn the common lessons of the race. It is now recognized that he is taught not alone by precept, but perhaps chiefly by the various forms of social suggestion. The capacity to imitate possessed by all men in some degree, and by the child in a marked degree is the active human quality which seizes upon the lessons of social conformity which are presented, and translates them into action and habit. For every individual, a whole range of opinions and beliefs is furnished, and any society is only strong in so far as its members are held together by the bonds of a common intellectual and social life.

The term "social mind" has come into use among us to express the survivals of thought and faith that persist in the world from generation to generation, and which furnish means of social contact between individuals. The social mind exists as a mere rudiment in primitive life and becomes progressively enriched as man advances in experience and in capacity for relationships with

his fellows. The doctrine teaches that there is an intellectual stock held in common use for the use of all, and in which all must share to a greater or less degree to exist as social persons at all. Two cannot walk together, an old writer says, unless they be agreed. And the agreement must exist in a common thought before it can take the form of a common desire, become a common exercise of the will, and then a joint action. The analysis of a walk together furnishes the doctrine which is implied in all social action. It is a common thought, awaking a common desire, energizing a common will resulting in the union of action.

It is time to consider the nature of society itself in order to progress in our study. - It is well known that society began in a simple state of loose association, and that it has progressed from small and simple groups to the complex institutions of modern times. It is not important for our present theme to consider the question of the method of progress, but it may be indicated that it has been by the small conquests of individuals which have been made public property in one form or other. The conquests have been mechanical, scientific, literary, artistic, as well as political.

Society has grown because man was a social being from the first. It is of the essence of his nature. Man is a speaking animal, but language, even the most crude and elementary, is impossible save as the expression of a social capacity in the individual, and of the social recognition of his fellowman, as well as the expression of common thoughts or emotions. It is an error to speak of society as though it were an artificial and mechanical device that men made when they were wise enough to plan it. Society in some form is a necessity to man as man, and is a natural product of association.

But it is now time to speak of the nature of such human associations. What is their essential mark or characteristic? Why is man a social being? In virtue of what quality in him does he maintain relationships with his fellows? We must find some answer that has the mark of universality, and that will fit all forms of social organization and be characteristic of all kinds of human beings. The one answer is that all human relations are reciprocal. Even the most elementary and instinctive relation, that of mother and child, if it involves the duty of care on her part, involves also the duty of obedience on his part. And the

duty of obedience and service on the part of the child is an obligation of equal duration to that of care and sustentation on the part of the parent. The essence of the family relation is identical in the hut of the Hottentot and in the most cultivated European home. All economic relations may be expressed in similar terms. If you buy, you must pay. If a man work, he must be rewarded, and this is true whether the man be a slave whom his master must feed, or a laborer whom his employer must pay. There would seem to be everywhere the essence of a contract, and no obligation exists anywhere without giving rise to a corresponding obligation. It is equally apparent in all political organizations. If I must pay taxes, I must be protected in my person and property, and in the lowest tribe, if the chief may demand service, he must use all his resources to preserve the tribe from outward foes, and the members of it from unusual oppressions. Since human relations are thus reciprocal, and the sense of obligation arises out of every form of social order, it follows that those are in error who make right and wrong the outcome of social experience to be expressed in terms of utility. Society depends upon ideas, emotions, desires, for its activities, and the nature of its activities will be determined by the nature of these essentials, but the social bond is ethical to its last fibre and man is fundamentally ethical because he is born a social being. Social conduct is the necessary expression of the social feeling and social recognition, but conduct to be social must be under rule, therefore the recognition of right and wrong are a part of the primary equipment of the race. In a low and crude form of society, the objects involved in the relation are few and the bond is not strong, but it is always made of the same stuff, whether it be the simple structure of an Indian tribe, or the vastly more complex social order of the American Republic.

Every form of human society has a standard of living in the economic sense, being the average of comfort which is secured by the large majority of the people. It has also as part of the equipment of the social mind certain standards of conduct which the individual is expected to reach in order to maintain his place in the social fabric. These standards may change from age to age, but while they are held by the mass and maintained by the organization they must be obeyed by the individual. But whenever held, they are maintained by virtue of ethical standards. There

was a time when heresy was regarded and punished as a crime. But the reason was that it was then believed that the safety of the individual and of society depended upon the intellectual attitude toward speculative questions. The reason that heresy was punished was that it was held to be immoral. We may hold that the mediævals made a mistake, but we cannot hold that they were unethical. The change in standards has no influence upon the nature of the primary and universal bond which finds its real stronghold in that quality of man, which is called conscience. The law of growth in the social organization depends upon the discoveries of the few becoming the property of the many. The conservative sins against society in resisting its normal development, and the criminal sins against society in ignoring its organic character. The immovable conservative and the too mobile criminal are each enemies of mankind however respectable the one, and however much pitied the other. The conservative resists change, and the criminal resists control.

What are the methods by which society seeks to enforce its standards, and secure the acceptance of its judgments by the individual? They are found first of all in the influence of institutions. These require a certain conformity, though a large part of the teaching is indirect. The family may allow a margin for sex, age, strength, and in some cases even for temperament, but there are certain limits, varying in various homes, but always real, beyond which the individual cannot go without becoming an out-cast. The limits are different but the fact is the same, whether the home represents character and culture, or whether it is a low form of loose association. It would be untrue to express the fact of control in terms of authority. It is wielded perhaps the most effectively by the imposition of language, opinions, habits, and all those influences that work through example and imitation in the forming of a common type out of the plastic material of childhood.

The school, the church, the street, social gatherings, are all means by which the social organization works in its effort to teach each individual as far as possible the contents of the social mind. Business life and industrial activities with their methods of procedure and their various forms of co-operation also impress the same lessons. Social opinion with its enormous force in praise and blame seeks to cast the individual in the common mould.

The literature which is read, and the influence of the composite effect of literature which is received at second hand, are efficient in making prevalent the stock of ideas and motives which are held in common.

Finally all these forces are summed up in the organization of the state, the highest expression of the social life of the world. Its definitions of conduct become explicit. It takes those human relations which are held to be most important, and it defines them by means of those social judgments which are most universal. The publication of the laws is their largest sanction. They may be enforced by courts and made dignified by punishments, but their real power for the vast majority is found in the appeal to the individual to submit himself to the mind and will of his fellow men, expressed in the most deliberate and majestic manner.

It is needful also to see that the effective control of the individual requires all the forms of power that society possesses. The homeless child easy passes into the delinquent child. The men who have no permanent civic environment are open to special temptations, and so soldiers, sailors, pedlars, and travelers, as well as early colonists require more character than other men to maintain the average standard of conduct. It has been observed that American-born children of foreign parents commit rather more than their share of crimes. This is due to the breakup of the compact and influential traditions which were the inheritance of their parents. In early times society was only held together when all the people had common language, traditions, race, laws, and religion. The enormous growth of the social capacity of the race is seen in that such a country as the United States has become possible.

It has already been pointed out that the social bond is essentially ethical, since it is based upon reciprocal relations. Defined reciprocal relations involve a sense of duty for the individual, even as they give rise to a system of laws in political society. It may be further pointed out that under all conditions of society, however primitive, the rights of person and property were always fundamental to the social order. All social institutions take their form from the attitude the public mind in a community takes towards these two great pillars of universal order—the rights of persons and the rights of property. But no social order, even the most

crude, ever has existed or can exist without building upon these parallels of ethics. And society has always found means to assert its claims to subjection in these matters. The old writers, the Greek poets no less than the Hebrew prophets, and the Chinese and Hindoo teachers no less than the Christian apostles, have enforced the doctrine of rights and corresponding duties. Conduct has been bulwarked with penalties of earthly powers and threats of vengeance from heavenly powers upon all men who set at naught the obligations of life. And from the beginning of human history until now the judgment of the world has insisted that neither personal utility nor temporary advantage were valid excuse for violation of duty or warfare upon social order.

If the discussion hitherto has been sound, we are now prepared for an analysis of the statement that the criminal is the anti-social man. If he is the anti-social man, it is at once apparent that he is not simply a social product. The social product is precisely the man upon whom society has successfully sought to impose her judgments and from whom she has secured conformity to her standards of conduct. The anti-social man is the legal non-conformist. And as the non-conformist in religion is rebellious in intellect, so the social non-conformist is rebellious in character. We have seen that the social bond is ethical, and therefore the anti-social man is immoral. There are two rebels against society, whom it seems strange at first sight to class together. They are the criminal and the reformer. Both war against society. The reformer may make himself so much in earnest that he becomes a martyr. Why is it that we cannot in our minds class the reformer and the criminal together? It is because we know that their actions spring from different reasons. The reformer thinks that society is wrong. His revolt is not for himself but for the good of the world, and if he perishes in his task, even though the task be mistaken, we revere him as one of whom the world was not worthy. The antithesis reveals the quality of the criminal. He revolts because he is egotistic. His revolt is for himself and not for the good of others. He thinks that society is right, and its laws are well for other people, but moved by unregulated emotions and uncontrolled desires he proposes to be an exception to the rule of life. For the moment he is the victim of his intellectual mistake. His judgment of values does not coincide with the

judgment of his fellow men. When he has committed the crime he knows that he has been mistaken. If he does not know it, he is not a criminal but an insane person.

The direct result of the theories that regard conduct as the spontaneous product of organization do something more than merely add to the vagaries of the human mind. In the first instance they tend to loosen social bonds and to undermine the stability of human institutions by the destruction of personal responsibility. In some men conscience has a hard enough fight to hold its place with all the help that can be afforded, but these teachers by perverse suggestion intimate to their victims that no conduct is really blameworthy, and so poison a weak conscience down to its roots. Then the doctrine affects methods in penology. If the criminal is the helpless victim of his own organization he must not be punished, but he must be treated for his malady. He deserves no indignation, however beastial his crime; what he does deserve is pity. So sentimentalism reinforces iniquity. But some more vigorous minds taking hold of the problem in another way would adopt the methods of natural selection as the final procedure in social selection. So the socially unfit of all kinds, whether criminal, insane, or feeble minded are to be killed that the human breed may be improved. Thus the cycle is completed at least in theory, and men return to savagery once more. Meantime justice, as of old, has her scales to determine the value of human conduct, and she has her sword to protect human society.

How does the doctrine here enunciated relate itself to the modern methods of penology, and what instruction does it furnish to those who are charged with the responsibility of enforcing justice, and making more secure the rights and duties of human association? If society is ethical in its very nature, and each individual must be held to a personal accountability for his conduct what is sound doctrine in the treatment of the anti-social man?

There are certain attacks upon the social order so abhorrent that justice and safety seem alike to require the removal by death of the person who has forfeited by his deeds his social rights because he has placed himself outside the ranks of those who can live together.

Another class not large but really existent, though they have committed no major crime, are so made mentally and physically

from the beginning or have become so degenerate by their deeds as to be beyond hope of recovery. This class must be permanently isolated from society.

But neither those who are put to death, nor those who are to be imprisoned for life constitute any large proportion of the prison population, and are no real part of the penological problem.

The bulk of the criminals belong to a class for whom prison life when properly conducted falls within the limits of the theory expounded at this time. They are anti-social, and have failed to meet the requirements of life because they have not learned the normal lessons of life in the normal way. Their perverse judgment has refused to accord with the social judgment as to what is due their fellowmen. They have declined to accept the standards of conduct which society has agreed upon as the average of good behavior which all must reach. They have failed at some point or at many points to exercise self control. Desire has been passional and spasmodic instead of rational and according to law. What does the prison say to such men? Its message is: You have failed in the ordinary environment of life to become socially educated. You have taken a perverse view of your rights because you have not been sufficiently impressed with your duties. You are now to be surrounded by a special environment which society has prepared for your benefit. You would not yield to social wisdom outside, here you must yield. You must come into relation with law in the whole range of your activities. You must sleep, eat, work, read, live by rule. You are here that you may adjust yourself to the control of law. The warden will meet you, and the first thing he will do is to assure you that the rules which he presents to you for your guidance must be obeyed. You can rise in the prison by good conduct. You can by assimilation to the new order shorten the period of your confinement. You will have time to think. You can here rearrange your theory of life. You can adopt the view of conduct that is held by other human beings. You can now judge, perhaps after a long lapse, what deeds are of real value in the world, and how you can adjust yourself. If you accept the regime, you will gain in power to live right outside. You may here acquire that social education which you have despised and neglected. And in order that you may receive this education and training, if you do not control yourself, you shall be controlled.

Prison education is not alone or chiefly in books, it is most of all in the education of the judgment and the will that comes from orderly life and regular labor. If the prison is successful in its task, the man is reformed—made over—he becomes a social being, takes his proper place in the world, because he has at last learned the ethical nature of all human relations.

Nor is it meant by this discussion to lessen the force of social responsibility. Society by its failures and wrong adjustments does much to furnish the moral climate in which the germs of crime in perverse men easily grow to malignant proportions. But it should be pointed out that inasmuch as society is not sound ethically it has itself violated social law, because social law is moral. If the human relationship which it conserves are not properly safeguarded, if the education which it ought to give is not bestowed with wisdom and vigor society shares the guilt of its depraved children. The responsibility of society for crime is however, a theme by itself, and deserves a treatment impossible at this time. It may however be stated as sound doctrine that many of the criminals who can be reformed have committed crimes which society might have prevented. The prevention of crime is the most important penological interest of the future.

Toward that goal society can only be helped on its way by the recognition of the ethical nature of society functioned through the moral nature of man. The most elementary duty is to fasten a sense of responsibility upon all men for their conduct. No man is fit for warden of prison who does not hold that the men whom he has charge of ought to be better men, simply because they can be better men. Every rule and every activity of the prison should be vital with this message. By the contagion of this suggestion, the fibre of every man should be strengthened, and in this faith he should be led to live. There is no place in active prison management for men who do not hold to the doctrine of human responsibility. If the men are only victims, they are not criminals. If they are victims, the people who have corrupted them should be locked up, and the sufferers should be released.

If a patient suffers from hysteria, and thinks he is a cripple the wise physician who treats nervous diseases brings to his aid what is called therapeutic suggestion. He leads the man at length to understand that there is strength in his legs and he deepens the

faith until the man becomes normal, and walks. What would be thought of a physician who should deepen into despair such a patient by telling him that he was born with poor legs, or if not, the legs have atrophied, and try never so hard, he can never walk again. The friends of such a patient could recover for malpractice in any court of justice. But such a crime against the body is a mild offense to that committed against the soul by that man who would assure the criminal that he could not help his crime. You were born with a bad nature, he says, or at least, you have perverted it beyond hope. You can never be decent again. Such a man has gone beyond the pale of the weak thinker, and the bad theorist, he is himself a moral monster.

The power of suggestion for good, as a controlling influence in human affairs is nowhere better seen than in the influence of early Christianity upon the deplorable crime of suicide. Such dignity was lent to the conception of human life, such glory was portrayed for a happy immortality, such contempt and shame was reserved for the offender against the sacredness of the human probation that Lecky tells us, suicide became almost unknown in Christian countries. And this followed the civilization of Rome, where saints and philosophers had taught the legitimacy of self destruction.

Whence comes the tide of suicide, the appalling annals of crime of all kinds that pollutes every issue of the press? It comes from the corrupting influence of a materialistic philosophy, from the degradation of the human conscience, from the dethronement of character, from a science of conduct as pernicious as it is false. Once again shame must be put on the brow of crime, and a coronet upon the head of virtue, that society may be secure, and that human life may be exalted.

The President invited Mr. Z. R. Brockway to follow this paper with remarks.

MR. BROCKWAY.—As I heard this admirable address I was drawn between two wishes, one that I could have made the address myself, the other that I could respond to it as it ought to be responded to. It bristles all the way with corruscations of thought, with some of which I thought I agreed and I was startled to find that with some others I did not agree. I cannot enter into an argument if I would and at this late hour I would not if I

could. The address is all that we expected of it and we are under the greatest obligation to Dr. Smith for giving it to us. It will form food for thought and for discussion year after year. It gets nearer the sub-base of the whole subject than anything I have heard on this platform for a long time. Let us chew on it to-night and take it up some other time.

MAJOR R. W. McCLAUGHRY, warden of the United States prison at Fort Leavenworth, invited the Association to visit that prison the next day.

Adjourned at 10 P. M.

TUESDAY—MORNING SESSION.

The Association was called to order at 8 A. M. by the president. Prayer Was offered by CHAPLAIN LOCKE.

The following officers were reported as elected by the Warden's Association: President, N. F. Boucher. Vice presidents, L. A. Hawk and John McDonnell. Secretary, W. McC. Johnson.

A telegram from Dr. F. H. Wines was read, expressing his regret that other engagements prevented him from coming and wishing the Congress success.

DR. WM. MCC. JOHNSON reported that the physicians connected with the various prisons and reformatories had formed an organization which should meet with the National Prison Association, with the following officers: President, John Gerin; secretary, O. J. Bennett; treasurer, G. M. Kelley.

PRESIDENT SCOTT said that such an association would add interest to the meetings of the Congress. He introduced Mr. Timothy Nicholson, president of the National Conference of Charities and Corrections, who invited the members of the National Prison Association to attend the next meeting of the Conference of Charities and Correction to be held in Milwaukee in May, 1902.

Committee appointed to audit books of the financial secretary have examined same carefully and find them correct.

C. P. HOYT.

To the National Prison Association:

The committee on time and place respectfully report as follows:

That pursuant to notice promulgated at the morning session of this date, the committee met at the office of the general secretary at the Midland Hotel. Invitations were received from the following cities, viz: Philadelphia, Cincinnati, Niagara Falls, Milwaukee, Detroit, and Cripple Creek. On motion it was

unanimously voted to recommend that the next Congress be held at the city of Philadelphia, commencing on the second Saturday in October, nineteen hundred two (1902).

Respectfully submitted,

SAMUEL C. LEMLY,
Chairman of Committee.

FRANK L. RANDALL, *Sec'y.*

MR. AMOS W. BUTLER.—We all regret the absence of one familiar face at this meeting, the president of last year's meeting. His long years of service and useful life in connection with this work we all appreciate most highly and I feel that it would be fitting on this occasion when Captain Wright is just recovering from a long illness for this Association to send him a message. I therefore move that the President be instructed to send a telegram to Warden E. S. Wright with our remembrance and our hope for his speedy and full recovery. This was voted and Mr. Butler was appointed a committee of one to send such a telegram.

The Chair announced as a committee on the revision of the constitution, Chairman Z. R. Brockway, Amos W. Butler and Rev. J. L. Milligan.

The committee on organization was announced as follows: Chairman, Henry Wolfer, J. P. Byers, Alvin T. Hert, D. W. Bussinger, Z. R. Brockway, R. W. McClaughry, Rev. W. J. Batt.

REPORT OF COMMITTEE ON PRISON LABORATORIES.

Owing to the absence of the writer in Europe during a great part of 1901, it was impossible to gather materials for a detailed report. But correspondence was carried on and some progress has been made. Plans of study and observation were sent out to members of the Association and encouraging responses have been received. In educational and scientific movements of this kind it is necessary to be patient and careful at every step. Officers of prisons will confer a favor on the committee if they will send suggestions to the chairman, and report any beginnings of study of individual prisoners and their social environment which have come under their notice.

C. R. HENDERSON,
Chairman.

The report of the committee on Prison Dietaries, prepared by DR. H. E. ALLISON, of New York, was read by S. J. BARROWS, of the same committee. The report was accepted as a report of progress.

REPORT OF COMMITTEE ON PRISON DIETARIES.

BY DR. H. E. ALLISON, M. D., MEDICAL SUPT. MATTEAWAN STATE HOSPITAL, FISHKILL LANDING, N. Y.

It was suggested at the last meeting of the Prison Congress at Cleveland that the dietaries from the various prisons which were there represented be printed in the annual report of the proceedings of the Congress and tabulated, in order to form some basis of comparison. It was intended not only to name the various constituents of each dietary but to state the quantities, and particularly to consider the nutrient efficiency of each item and its cost. The whole question of food and prison dietaries was referred to your committee, who were instructed to report this year. The committee hoped to have secured through some competent source a careful study during the year of the food question as applied to the inmates of prisons and penal institutions. Unless such investigations are made by some one who has had the necessary scientific training, little of value can result, although much that is interesting may be obtained.

It was thought that Prof. W. O. Atwater, through his connection with the Agricultural Bureau at Washington, could find some way, in the course of his labors in that department, to do some experimental work, the results of which might be placed before this Congress through the medium of the committee but in name of Prof. Atwater. The National Congress at Washington some years ago made an appropriation "to enable the Secretary of Agriculture to investigate and report upon the nutritive value of the various articles and commodities used for human food." Under instructions from the Department of Agriculture the work has been pursued from year to year, and Prof. Atwater has been in charge of nutrition investigations as a special agent. Studies have been made upon the nutritive value and cost of food; the effect of severe muscular labor upon food consumption and digestion; dietary studies have been conducted upon the food habits

and nourishment of laborers. Schools and colleges have assisted in the work, and various associations for the improvement of the tenement districts and the condition of the poor have aided in the investigation.

In the hope of accomplishing some practical work upon prison dietaries, two members of the committee, the Hon. S. J. Barrows and Senator Thomas E. Ellison, upon the occasion of the meeting of the National Conference of Charities and Correction at Washington sought an interview with Prof. Atwater, but no way seemed to be open for him to undertake to make a report upon the matter for lack of funds.

In view of the economical success and healthful results attendant upon the dietary studies instituted by the Commission in Lunacy of the State of New York, it was thought that some work of a similar character might be accomplished through the Prison Department of the same State. Eminently desirable, however, as such work was acknowledged to be, again no funds were available for any specific investigations or experiments in that direction. It may be helpful, however, to state briefly something of the measures adopted by the State Commission in Lunacy to inform themselves upon this subject when they were confronted with the responsibility of providing for the maintenance of all the insane of the State of New York. Some years ago the commission investigated this matter, being urged to do so by reasons of economy and the necessity of procuring reliable data upon which to base allowances of money for the food supplies required for the various State hospitals. When New York adopted the system of State care for all of its insane, the funds for this purpose were placed under the control of the commission. Each hospital was allowed to draw monthly sums for various supplies, among them food rations. There was found to be great variance in such requisitions, and it became necessary to establish a definite food allowance per capita, or, in other words, a ration. Dr. Austin Flint, of New York City, in June, 1893, at the request of the commission, prepared a table giving food supplies sufficient for one hundred persons for thirty days. This constituted what was known as the Flint Dietary. The first draft was simply a tentative one. In other words, it was a working table, subject to revision and to such changes as might be found desirable through

actual experience in its use. This dietary was found to be a very liberal one. It was calculated upon physiological needs and was supposed to provide nourishment sufficient for the body. That is, it furnished a mixed diet fitted to the needs of the human system for the preservation of good health. At the same time it allowed for an inevitable amount of waste. This table, with some revision which practical experience in its use suggested, formed for several years the basis of all estimates for moneys needed for the purchase of monthly food supplies for the hospital for the insane. It was only necessary to multiply the food allowance per capita by the population of the hospital in order to obtain the total allowance for each institution. This fixed limit naturally directed attention to comparisons between the hospitals as to their requisitions, and economy was thus induced and waste lessened by the new dietary.

In 1899 this dietary was revised by Prof. Atwater. Both dietaries were intended to cover the full physiological requirements of the system and to include, as well, the waste in handling at the storerooms; in the preparation of the food for cooking; in the process of cooking itself and also the refuse from the table. A rather large margin was provided to cover all such avenues of waste, a margin which good management would result in reducing to a greater or less degree. Milk forms nearly a perfect food, with no waste, and wheat flour contains very little. There is a natural waste in food however, that cannot be helped, such as the bone in meat, parts of vegetables, etc., but economy consists in seeing that, apart from natural waste, all the food purchased is prepared so that it can be eaten and that there is no avoidable waste at meals.

We take pleasure in subjoining a copy of Prof. Atwater's table and quoting from the regulations of the State Commission in Lunacy in this matter of dietaries and rations for state hospitals:

Average actual rations per 100 persons and per person per day in ten New York hospitals, 1897-8, and tentative rations with reductions of one-tenth and one-seventh the total nutrients.

Number of Group.	FOOD MATERIAL.	AVERAGE ACTUAL RATION		Tentative Ration with Nutrients Reduced One-tenth.		Tentative Ration with Nutrients Reduced One-seventh.	
		Quantities per 100 persons one day.	Quantities per person per day.	Quantities per 100 persons one day.	Quantities per person per day.	Quantities per 100 persons one day.	Quantities per person per day.
		Pounds.	Ounces.	Pounds.	Ounces.	Pounds.	Ounces.
1	Beef and Veal.....	41.	6.5	} 43.	7.	36.	5.75
2	Mutton and Lamb.....	6.5	1.		1.25	6.25	1.
3	Pork.....	9.	1.5	8.	1.75	6.25	1.
4	Fish.....	11.5	2.	10.5	.75	6.25	1.
5	Eggs.....	6.5	1.	6.5	.25	1.50	.25
6	Cheese.....	2.5	.5	2.	1.5	7.75	1.25
7	Butter.....	10.	1.5	9.	14.	75.	12.
8	Milk.....	95.	15.	85.5	9.	56.25	9.
9	Wheat Flour, etc.....	69.	10.	56.5	1.	12.5	2.
10	Corn Meal, etc.....	6.	1.	6.	.5	3.25	.5
11	Oat Meal.....	3.	.5	2.5	2.5	15.6	2.5
12	Sugar and Starch.....	3.	.5	16.	.5	6.25	1.
13	Dried Beans and Peas.....	18.	3.	3.	12.5	75.	12.
14	Potatoes, etc.....	88.	14.	79.	3.5	18.75	3.
15	Cabbage etc.....	25.	4.	22.5	1.25	6.25	1.
16a	Fresh Fruit.....	9.	1.5	8.	.5	3.25	.5
16b	Dried Fruit.....	3.	.5	2.5			
	Total protein in grams.....	11,200	112	10,100	101	9,700	97
	Total energy in calories.....	346,500	3,465	310,000	3,100	300,000	3,000

"Two tentative rations are proposed for hospital dietaries. Both have the kinds of food materials and the proportions of each group in the whole food supply as found in the present hospital dietaries. In each a reduction of the total present amount is called for. This reduction in the first of the two rations is one-tenth and in the second one-seventh of the whole.

"I suggest the trial of the first ration, using the quantities which are given for a hundred persons for one day, or one person for a hundred days, as a basis for calculating the dietary of the hospital population. Considerable flexibility of choice of food materials is provided by the estimates for food substitutes. This schedule assumes that one-tenth of the total food materials supplied to the hospital will be left uneaten in the kitchen and table wastes. The nine-tenths which are assumed to be actually eaten are computed to supply rather more of actual nutriment than is called for in a tentative physiological standard which I have ventured to suggest.

"If the waste is, or can be made, five per cent. instead of ten per cent. of the total food supply, I think it probable that such a ration as the second, which makes a reduction of one-seventh from the present amounts of food supplied, would be sufficient. Indeed, I am inclined to think that a still greater reduction in the total amount of food could be made if the waste were reduced to a minimum and such changes were made in the kinds of food materials as would provide a somewhat larger proportion of protein. But at present it seems to me safer to use the first ration with a reduction of only one-tenth."

It may be assumed that the table above presented would exceed the requirements of a prison population, and that substitutions might have to be made of equivalents to lessen the cost. Still it may serve a good purpose to place it before you. The committee regret that for reasons stated they have been unable to make as full a report as they wish might have been done. In the future some way may be found to enter upon a scientific and experimental investigation of the subject. The committee, for the present, however, are unable to do more than simply to report progress.

Respectfully submitted,

H. E. ALLISON,
S. J. BARROWS,
J. L. MILLIGAN,
T. E. ELLISON,
OTIS FULLER,

Committee.

The report on Prison Sunday was made by CHAPLAIN STARR, and was adopted.

PRISON SUNDAY.

..

Your committee appointed at the meeting of the Prison Congress last year to secure the observance of Prison Sunday as far as they might be able to do by the churches of all denominations would respectfully report that they prepared, printed and sent out a circular to several hundred pastors and papers, requesting such observance, and furnishing some data for the use of speakers on subjects related to the prevalence, prevention and causes of crime. The responses were very encouraging. Again this year as the Fall meetings of Conferences, Presbyteries, Synods and Associations were being held like requests were sent to many such ecclesiastical bodies, with the result that in every case so far as we have learned resolutions were adopted endorsing and approving the plan and pledging the congregations so far as practicable to observe Prison Sunday.

Inasmuch as this feature of the work of the Prison Congress falls peculiarly within the range of the chaplains' work, we would respectfully recommend that the National Prison Association appoint the chaplain of the state prison of each state a committee to secure the observance of Prison Sunday—so far as may be practicable, in the state for which he is appointed. This provision is not to apply to states in which this work is being already done by the same state society.

Respectfully submitted,

D. J. STARR,
W. H. LOCKE,
A. W. BUTLER,
Committee.

REPORT OF COMMITTEE ON PRISON DISCIPLINE.

BY C. C. MCCLAUGHRY, WARDEN STATE PRISON, WAUPUN, WISCONSIN.

How best to protect society from the criminal, and how best to prepare the imprisoned criminal for a return to proper citizenship, are the two great questions which prison discipline should

strive to solve, for in them are expressed the very objects for which prisons are built and maintained.

The work is two-fold: As it affects the public, and as it affects the prisoner.

The duty of the state in attempting to protect the great mass of law-abiding people from the warfare waged upon it by the criminal, is not less important than the service to be rendered to the criminal in placing him under such a system of training, education or corrective treatment as will most tend to cause him, for his own salvation, to "cease to do evil and learn to do well." The day is passing when a man is sent to prison to pay in physical or mental suffering alone, measured in years or in dollars and cents, what a judge or jury estimates to be the damage which the peace and dignity of the commonwealth has suffered by some single crime.

The wisdom of to-day, overruling the vengeance of yesterday, demands from the habitual criminal more than merely a temporary cessation from criminal practices. It demands something more profitable both to the man and to society than the everlasting disgrace from which the accidental criminal in former days found no escape while men remembered that he was an "ex-convict." It demands from the persistent criminal the continued surrender of his liberty and his citizenship, and his confinement under prison discipline so long as he remains unrepentant and persistent, and retains the evil ways of living and of thinking which have made him the enemy of the law. It demands of the accidental criminal during and after actual imprisonment that striving toward the path from which he has fallen which in itself brings strength to his good resolves, and is in itself ample proof both of his penitence and his future value as a desirable citizen and a loyal adherent of the law.

Hence, the demand which the public welfare is to-day putting upon the penal machinery of the state is that prison administration shall neither crush by unnecessarily harsh treatment, nor merely clothe and feed and be "good fellow" to a motley aggregation of convicted criminals, but that it shall study out and determine, as nearly as may be possible within the scope of human calculation, the future relation to the state of each and every one of all these captives of the law.

The public weal demands that the professional and habitual criminal be so handicapped in his criminal profession or criminal habit that as long as he remains persistent in and uncured of these abnormalities, be they products of disease or matters of deliberate choice, he shall be restrained of his liberty and deprived of the opportunity of injuring his fellowman either in his goods or person. It demands also that by imprisonment his opportunities for leading others into the paths of crime and into endless misery, physical or moral, shall be cut off.

On the other hand the public weal demands that the repentant prodigal be aided and protected in the returning journey to his father's house. It demands that the feeblest flame of conscience shall be fed with the oil of charity and kindness into a reanimating and restoring warmth, which shall become the burning desire for right living and noble attainment. It demands that no line be drawn beyond which a man may not turn again toward the path from which his former steps descended.

If, then, to the prison administrator of to-day such important commissions as these are given, duties which involve the most delicate tasks, those of studying and analyzing and determining the various phases of character and attainment which go to show any man's positive or negative value to his fellowmen and to himself, it is high time that the value of the prison official along these lines become a known quantity and a recognized factor in the work.

It is time that the state should turn its serious attention to the selection, education and training of those who, in turn, are to be the selectors, educators and trainers of these, its wards. It is time that political preferment, which gives no heed whatever to the importance of these high commissions, should disappear as a controlling influence in the selection of those upon whom these duties devolve. It is time that partisan interference should no longer be felt in the selection even of those who are to be helpers in developing and perfecting the methods necessary to the working out of the great problems which these duties involve.

Some states have installed the important and intricate machinery of reformatory method in the adoption of the indeterminate or indefinite sentence and the plan of liberation of the deserving upon parole, and then committed the serious blunder of

making the operation of this machinery futile by delivering it over to control of partisan politics and clogging it with the dictations of reckless politicians, instead of bringing out its best results by committing it to the care of trained and conscientious operators and furnishing them the proper help for its best management.

The consequence has been that even with the best appliance available for sifting out the wheat of the criminal population from its chaff, the proper handling of the indeterminate sentence and parole, some of our modern mills have ground out a confusing mixture of wheat and refuse in the shape of professionals and habituals liberated upon shallow pretence, and half-trained accidentals liberated too easily, thus giving much cause for scornful laughter to the opponents of reformatory method—those prone to believe that legal vengeance and prevention by intimidation are more valuable than kindness, patience, firmness and common sense in the handling of crime.

The disciplining of a prison is not the work for which either the title of "Colonel" or "Professor" is a necessary preliminary, but it is work demanding something of the natural or acquired ability which leads its possessor to either title.

It depends upon the ability to go from the fields of a pure private life into the "far country" of criminal life, to study its people, to discover through the perplexities of strange modes of expression their thoughts, ideas, habits, faults and virtues; their rebellious, treacherous, weak or sometimes noble natures; to conquer them, to lead them, to win them; to administer justice, to suppress anarchy, to dispel ignorance, to cultivate hope, and—last, but not least—to drop into every aching and hungry heart some message from the Master which shall, if anything may, lead them back into the path of proper relations with their fellowmen.

To successfully manage a prison, therefore, a man must be essentially a *manager*, both in his fitness for his work and in the authority and latitude given him for doing the work in the best way. He should have free and unlimited rights in the selection of his subordinates if he is worthy of being held responsible for the treatment and training of the prisoners over whom they are to be placed. No tyranny on earth is so complete as that of an unjust or unscrupulous prison officer, and no body of men on earth need

such careful watching and such shrewd study as prison officers. They are men, and therefore fallible. Exposed to the tremendous influences which emanate from the gathered cunning and trickery of a great state's convicted criminals, like timber exposed to the sun, many of them gradually warp away from the straight lines of an upright character, and absorb something of the habits of the men they are supposed to lead and control. How, then, is the scrupulous keeping of the law, the loyalty of right for right's sake, to be taught and drilled and trained into a prison population if a warden is forced to accept the misfit relatives of prominent party workers, or those who have "done good service" in the doubtful days of some political contest? Why do we not look beyond the gentlemen who so ably represent vast states as *heads* of institutions at such gatherings as this, and study the question of raising the standard or establishing a standard for subordinate officers; those who, while we gather here, are doing or undoing the work we have left behind? Why cannot prison service rise to the dignity of an honorable calling for those who watch the convict at his work, who are first acquainted with the things that affect every moment of his prison life; his wants and trials; his hopes and fears; his little virtues or his grave shortcomings; and who, by their very nearness to the eddying current of his prison experience are able to drop into the troubled stream the oil of kindly aid and wise suggestion, of patient leading, or of helpful teaching, of healthful discipline and conscientious correction, or, on the other hand, are able to pour instead from the vials of tyrannical contempt and hateful sarcasm, of evil encouragement and hypocritical suggestion, the elements that do harm instead of good, that darken with increased evil the muddy current of criminal impulse and tend to remove all real reform beyond the felon's reach. Why not demand humane consideration for the prison officer as well as for the convicted criminal; classification and grading and advancement for merit and ability, with reasonable security from disturbance except for failure or for actual transgression; with retirement after a certain period of faithful service upon a suitable annuity, with certificates, awards and honors which shall call forth his best endeavors in this field of usefulness? Why should work so important as we believe penal work to be, be merely regarded as a "job from the state" by nine-tenths of the

men that we "reformers" have left behind us? Why may not this service rise to the grade of a calling or profession in which a man can be proud to earn and possess the proofs of creditable and credited attainments, instead of enduring merely an existence from pay-day to pay-day?

What constitutes good prison service? Why, watchful attention, constant vigilance, unceasing industry, ready helpfulness, shrewdness in discovery, readiness in emergency, fearlessness in execution, the constant maintenance of a championship for right and justice. What does good discipline mean but all these things? How can good discipline be obtained if those in whom these qualities should exist are strangers to them? No prison force should have room for the loafer, the hypocrite or the "ne'er-do-well," but instead should have that in its pay, its honors or emoluments which will attract good, clean, qualified men; men without "pulls"; men without party records, but *men!*

Most important among subordinate officers is the deputy warden, or principal keeper, who should bear the same relation to the warden or superintendent that the adjutant does to the regimental commander in military service, following exactly and with unswerving loyalty the policy and general method of his chief, and supplying from his own knowledge, experience and training a ready solution of each and every detail of handling and discipline. He should possess a keen conscience, high notions of honor, a broad sense of justice; should possess sharpness in detection of wrongdoing and good judgment in applying remedial discipline; should not be wedded to severity; nor blindly love leniency; and, with the deftness of a musician, should be able to find a responsive chord in nearly every human heart.

In the handling of prisoners the key to good discipline lies in impartial treatment under equal conditions and in constantly striving for absolute justice. No people are so quick to perceive injustice as those who are or have been themselves unjust. Any system is wrong which allows favoritism to win for the wily "old timer" some good snug berth or special privileges, while the ruder but better man, to whom crime and a prison are new experiences, must blunder on, feeling that equity is a myth and justice is but another name for the survival of the sharpest!

One of the most serious difficulties in a congregate prison, and one which interferes constantly with the operation of reformatory influences is the tendency among subordinate officers to become familiar with prisoners, and to yield to the superior cunning and stronger will of some smooth crook, who with cleverness born of long prison experience stands ready with numerous little services and attentions to make the officer his debtor. This influence sometimes has its origin in the prisoner's mechanical ingenuity which enables him to make for the officer (openly or surreptitiously) some small article of curiosity or convenience. Sometimes the prisoner's knowledge of the mysteries of English composition is greater than the officer's, and help is given in that line. Sometimes he becomes the officer's banker through the manipulation of his outside friends, and places investments for him, or lends him money. In prisons where "tinkering" is allowed the opportunity to earn small sums by the making of trinkets in hours not devoted to the regular task, generally favors some hardened and handy rascal whose mechanical skill has been largely developed along criminal lines, while the weary victim of his first serious lapse from lawful citizenship plods heavily through his day's labor, with the discouragement of seeing men confirmed in crime obtaining concessions and advantages which his very ignorance of trickery seems to prevent him from obtaining. Where "tinkering" is permitted the temptation of getting something for nothing creeps in to corrupt both officers and men. The actual possession of money by prisoners, in however small sums or at whatever time, leads not only to gambling and dishonesty and discord among them but has the worst influence upon officers, and cannot be too strongly condemned.

Mysterious escapes and jail deliveries generally have their origin in some such beginnings.

In the matter of comparative mental ability or education as between officers and men, the question arises as to how far the prison newspaper, edited by convicts, may be detrimental to prison discipline in the covert slurs, innuendoes, hints and pointers which may be conveyed by one "inmate" to those who best understand them, while appearing only as bits of humor to the uninitiated who wear blue coats and brass buttons. Too great care cannot be exer-

cised in controlling and limiting such opportunities. A bit of poor poetry by No. 99, which in topic and phraseology is remindful of questionable resorts, or treats with half-apologetic sentimentality of the phases of life found therein; or the narration of the incidents of a criminal career by No. 77, half-boastful, half-regretful, in which details of execution are explicitly made, have a far worse moral effect than the works of the worst "nickel library," and such contributors, or the paper into which such contributions creep, should be suppressed.

Then, too, ill-advised speeches and writings sometimes advance to the criminal the idea that being caught was his worst offense; that just as great or greater criminals than he, or men just as vicious and harmful to society, are high in public opinion and are successfully living in the guise of law-abiding citizens, protected in their evil deeds by some inequality of the law. In the endeavor to make the prisoner feel the "brotherhood of man" it is not necessary that he be injected with anarchy. It would be silly to tell a sick man, who has been adjudged a proper subject for hospital treatment, that thousands of other people are just as sick as he, but are able to be up and around, able to keep up the appearance of perfect health and to get along without medicine!

The great need of prison discipline is *equity*. Classification and grading should place the persistent or hopeless criminal, (if we may be permitted such a use of the term) where he properly belongs in every item and detail of his prison life, and should give to the accidental or hopeful criminal every encouragement to believe that a return to proper citizenship is within his reach and is desirable. Instead of showing merely his ability to adapt himself to prison rules—which the recidivist can generally do with ease and grace from the first moment of his incarceration—the very clothing of these two classes should show at once how far a man has progressed in the life of a law-breaker, and the privileges and advantages should be greatly in favor of him who turns from the *beginning* of a criminal career. It is a mistake to place a new comer and a first offender at once in a garb and in a grade which he at first despises, and which seems to carry with it the spirit of vengeance, while he sees above him, wearing the smooth air of superiority, enjoying the privileges and wearing the garb of a higher grade, men who, he soon learns, are proven by their lives

to be persistent criminals, and probably never intend to keep any law except that of the prison rule-book. His remorse, if he has any, is at first busy comparing the disgrace of his sentence with the former freedom he enjoyed as a law-abiding citizen, and it seems to him unjust that men who have been repeatedly criminals, and who on holidays speak to him patronizingly and boast of their past histories or future chances in crime, are apparently regarded with greater favor by the prison authorities. His letters home, if he has the pride that is to eventually make a man of him, beg piteously that his friends will not visit him till he has doffed the "stripes" or the "checks" for the clothing of the first or higher grade. In the months when he needs most the encouragement of friends who have not abandoned or forgotten him, or the visits of a faithful wife, he must feel that he cannot explain why he is rated lower than those whom even they recognize as worse men. He has not broken the prison rules, why should he receive what is recognized as a punishment for violation of prison rules at his very entrance? Later if he falls from the higher grade he shrugs his shoulders and says, "Oh, I've worn the stripes before it's nothing new to me!" How much better it would be if he could say with pride when his friends come, or he returns to their companionship, "I have not worn the stripes yet!" and with this object in view how much more carefully would he guard his conduct from the moment that he enters prison? The testimony both of "old timers" and of first offenders uphold this view.

In matters of punishment for the violation of prison rules the discrimination between the experienced and inexperienced criminals in the readiness or slowness with which transgressions are followed by punishment, is often of great value in preserving a proper equity which both recognize and approve. With equal conditions of mind and body it should be expected that the "old head" should more easily and willingly comply with regulations which former training has convinced him are customary and necessary, while the man to whom the harness of prison rules is new can reasonably be expected to chafe and fret under it, to give way to impulse and to blunder into wrong. No punishment should be administered without the analogy between submission to prison law and the laws of civil government being clearly drawn and made apparent to the culprit. Men should be *taught*

to think of their relations to society and to see the hopelessness of rebellion against laws human or divine.

As to kindness and severity in prison discipline it is folly to assume that these two elements are not complements of each other. Kindness and love, conditioned on obedience, was the first and last offer of God to man; but the possession by man of the right to choose and the power to rebel did not abrogate the Creator's right to punish or compel obedience by suffering. So must the prisoner be taught that while he possesses the God-given power of choice, even to refuse kindly aid and humane consideration, to rebel against prison rule and statute law there must follow a balancing of the scale by the right and proper consequences of such disobedience. If he is not feeble-minded or insane, if he is ever to be trusted again with citizenship as a normal citizen, he should not be held as unable to follow the dictates of conscience and conscious responsibility. He should not be held as an *inmate* of a prison—a *willing comrade* of criminals, unless it is apparent that he can never be anything else. He should be taught that he is a *prisoner* but that *his normal condition* is in proper freedom under the law. It was the *forced* companionship of swine, and the *necessity* of a diet of husks, with the consciousness that he was not one of the swine nor belonged in their company, that induced the prodigal of the Scripture to return to his father's house. It was the *severity* of the conditions to which he had fallen, as well as the kindness that he knew he was nearing at every step, that hastened his feet in the homeward journey.

Prison life must of *necessity* have in it much that is severe. It is wrong to induce the honest toiler, whose citizenship outside is perhaps maintained with sweat and tears and much privation, or the convict who has preferred law-breaking to honesty, to believe that prison conditions can be so mollified and smoothed that contentment may be found in a felon's cell. Discontent, and the offerings of divine love induce us, one and all, to strive for heaven.

DISCUSSION ON PRISON DISCIPLINE.

PRESIDENT SCOTT.—This most excellent paper is now open for discussion and I will ask Major R. W. McClaghry, the father of the writer, to open the discussion.

MAJOR McCLAUGHRY.—On the general question of prison discipline I agree and with one statement I agree heartily, that kindness and severity in prison discipline and management should be and will be by the wise management made complementary to each other. We are taught in the Scriptures to believe in both the goodness and the severity of God, and we should certainly look for goodness and kindness along with severity in the administration of that most troublesome problem of all problems given us by the courts and the law and society, the problem of how to properly administer the punishment in a proper sense that the law provides so as to restore the criminal if possible to good citizenship. That problem is before us and will always be with us I presume as long as prisons are necessary and it is well for us to reflect on how to make these two elements of discipline complementary to each other instead of diverse and destructive of each other.

S. J. BARROWS.—Perhaps the best thing to do now is to congratulate the father on the son and the son on the father. Mr. C. C. McClaughry is a chip of the old block. I hope the suggestion that has been made with reference to prison journalism will be heeded. It is a subject concerning which I receive a good many inquiries from abroad. People are much interested to know that we have so many prison papers in the United States and some of them are conducted with much ability. One paper printed in Oregon is published by a prisoner who wrote to me about it and told me that he furnished all the money, did all the work, supplied all the articles; that he had had no help, or very little, from any of the officers and that what contributions they made did not, after all, amount to anything. Some of these papers need very judicious editing. We have a paper in New York that Mr. Collins thinks is exercising a wide influence, called the *Star of Hope*. We know what is done in Concord and Charlestown and Elmira in the way of issuing good papers. I hope that sometime we may have a discussion on prison papers.

MR. MILLIGAN.—Who is at the front in knowledge of this business?

MR. BARROWS.—Mr. Milligan.

CHAPLAIN STARR.—I appreciate Mr. McClaughry's paper and one among the many good suggestions that he makes was especially interesting to me and I should like to have an expression

from the wardens on that point. A new prisoner comes into the prison, how shall he be received? It seems to me that the man's first impressions during the first week in prison will have a permanent effect on his whole stay there. I have tried to get the man into the Sunday school at once if he is willing to come and so induct him into the best helps he can have in the prison, but the question is, is it necessary when a man comes for the first time to put him down in the punishment grade and force him to believe that he comes into prison under disadvantage as compared with other prisoners. I do not know what to conclude in that matter. I should be glad if the wardens would speak on that point in Warden McClaughry's paper.

JUDGE FOLLETT.—The object of prison discipline, as was said in the paper, is to bring prisoners back to good citizenship. We knew the father was in the son when we heard those noble recommendations, most of which I can heartily endorse. You can take that paper home and study it and after you have studied it the McClaughry's, both father and son, will thank you if you can make any better suggestions than have been made in that paper.

The Chair called on Major McClaughry to answer Chaplain Starr's question.

MAJOR McCLAUGHRY.—As to the question of the chaplain, I beg to say I think that all the wardens will agree with me in the importance of having an early interview with each prisoner when he is received. The warden should see him, talk with him and explain to him the nature of the service upon which he has entered. The amount of ignorance prevailing among first offenders with respect to prisons is known to all of us. While it is an excellent thing to have the chaplain talk with the man the chaplain will have a great deal easier task if the warden first talks with the prisoner. The deputy warden is supposed to be the representative of the law. His business is to apply the rules and to exercise ceaseless vigilance; to explain to the offender what the rules are and what the penalty is if they are disobeyed, but no man so well as the warden or superintendent can start the prisoner on the right path at first. I consider this a very important matter. I try always to see the prisoner myself first of all.

It is a difficult thing to do but it is one of the most important matters connected with the administration of prison discipline and renders it a far easier task for every one if the warden will have the first interview with the prisoner and explain to him patiently and carefully the relations that he has assumed. He will find much less trouble afterwards.

MR. C. C. McCLAUGHRY.—This idea that I have suggested with reference to putting a man in the first or highest grade when he comes into the prison I have practiced at the prison at Waupun and I find that it lifts from the heart of the men who really deserve our pity, our attention and our help a great load. A man dreads the stripes when he first comes in. I have a man in my office who was in mortal terror when he came to the prison and he begged for the privilege of sending word to his wife and mother not to come near him. He was afraid to pain them by seeing him in stripes. I had been short of first grade material and I had to put him in second grade material and he thought he was to remain in stripes. I explained that he was to go into the first grade and wear the first grade material and he sent word to his friends to come and see him and he started at once in the right track. Such has been the case with others that I have handled in this plan. I think that it is of the utmost importance that the warden in his interview with the prisoner should introduce the subject of the personal relations with the deputy warden and with the chaplain. The prisoner should fully understand what are the authority and duties of those officers and the obedience and respect he is to show towards them, thus starting them with the right ideas concerning them. Many men come in who do not want the interference of the chaplain. They bluff him and repel him until they find that he can materially help them in their prison life. It is of vast importance, as my father has said, that the warden first give the prisoner the idea as to the ground of authority on which the deputy and chaplain stand and the way in which they can be helpful to the prisoner if he desire it.

Q.—What clothing do your different grades wear?

MR. C. C. McCLAUGHRY.—Our clothing for the first grade consists of a blue-gray suit. For the second grade a suit of black and gray stripe. For the third grade to which a man only falls for the most heinous offenses against prison law, or immorality or indecency, the suit is a bright red, a very humiliating color.

MR. ALBERT GARVIN, Connecticut.—In all graded prisons there are three grades, first, second and third. In the first or highest grades they have the privileges reserved for the best behaved men. The man is received into the second grade and graded up or down according to his conduct and I still think that is the best way. The other way strikes me as too much of a kindergarten. The first month in prison is the worst, except the last, or perhaps the last sixty days. Those are the worst that a man puts in and the care needed is just as much warranted then as during the first thirty days.

MR. C. L. STONAKER, Colorado.—I wish to take issue with Mr. Garvin, who says that certain actions looks to him too much like the kindergarten. I really think that the kindergarten principle is what we need in our reformatories and in our industrial schools. We take children into the kindergarten and develop them and when we take the prisoner into the reformatory we must develop him and we must do it by kindergarten principles and methods. I heartily approve of Mr. McClaughry's idea that when a man comes in he must be developed as rapidly as possible.

CHAPLAIN STARR.—Is it customary to receive newcomers in the third grade?

MAJOR McCLAUGHRY.—I do not know of any prison that does it. I think one of the great difficulties in the plan suggested of receiving the newcomers into the first grade would be with reference to old-timers. I have never tried the plan, but it has always seemed to me that you should put a man into the neutral grade and let him climb up. If he fails to do that let him go down.

JUDGE FOLLETT.—Aren't there prisons that have more than three grades? A man might be put into the highest at first then if he falls he falls only one degree, but there is a lower depth yet. If he does well after a time and works up to a higher grade he must maintain that. My impression is that there were four grades at Elmira.

MR. BROCKWAY.—The three grades covered all the routine of the place. There is a sub-grade which has been called the fourth grade where a man was secluded. I believe now he is transferred to the state prison. The highest grade is the first. All the prisoners are received in the intermediate grade.

BISHOP FALLOWS.—I am greatly pleased with the logic and the rhetoric and the sentiment of Warden McClaughry's paper. I am very much pleased with the expression which seems to be the general opinion of the relation of the warden to the chaplain. I am not a chaplain of any penal institution, but I had experience as a chaplain during the civil war and I found that a chaplain's efficiency depended greatly upon the attitude of his colonel or commanding officer toward him. I was very glad to get out of the position of chaplain to take that of colonel in order that I might do better justice towards chaplains than was generally done by colonels towards them. I am greatly pleased with the expression here given that so much depends on the view of the warden as to the chaplain's influence. I know in some cases that influence is under-rated and I wish to express myself firmly, from my experience of ten years in connection with the reformatory at Pontiac—and I entered upon the duties of a manager of that institution through my beloved friend, Major McClaughry, who is responsible for all that has been done, good or bad, by me in that institution—that the influence of the chaplain can not be over-rated, and if the warden in any way creates the impression in the minds of the inmates that the chaplain does not amount to much he is cutting off the right arm of his own power and influence for good. So I wish to express my hearty thankfulness to those wardens for the appreciation they have expressed for the work of the chaplain. I think it is of the highest importance.

MR. J. A. LEONARD, Mansfield, Ohio.—I endorse heartily the able paper read this morning, especially the spirit of it. It seems to me that Mr. McClaughry recognizes the fact that prison discipline is not a science. It is only a science inasmuch as it is based on certain fundamental principles clearly seen, but the superstructure of the work is a work of art and must be highly flexible to be highly effective. To follow arbitrary rules is the first refuge of weakness, especially when it takes the form of uniformity of penalty for specific acts without taking into consideration the motive, the disposition, the circumstances under which the offense was committed. Yet the warden who shrinks from discharging his duty in the light of all these considerations lest he might in the thought of the inmates be considered unjust, makes a fatal mistake. As to the other matter, the grading, I can not see the objection to allowing the newcomer to enter the neutral

grade. As a matter of whim I have chosen this term, the neutral grade. The inmate comes without color of prejudice. The whole idea of the work is that he is to come there and establish his character and he enters the neutral grade. The first is the progressive grade which has three degrees, distinguished not by uniform but by some distinguishing mark. Various restrictions are removed as the man becomes self-governing. I see no objection if a man's conduct is unsatisfactory, to his dropping into the negative grade, the backsliding division. If there is objection to this I should like to know it for I do not want to be practicing error.

MR. C. C. McCLAUGHRY.—I want to ask if in the judgment of the wardens the neutral grade into which a man comes when he is first admitted to prison, should be the same to which he falls for offenses in the higher grade, and if so how you are going to explain to the newcomer, or the visitor, which of your men are neutrals and which have been reduced because they could not obey the rules. In the matters of law outside the prison a man is considered innocent until he is proved guilty. If you put him into the second grade in prison, the same grade to which you reduce others for evil acts and disobedience, you assume that he is in a state of rebellion, or he may get that impression. It seems to me a reversal of the rules of equity practiced outside.

MR. WOLFER.—I want to compliment my friend Mr. McClaughry on the very able paper he has read. I think it is one of the best I ever heard. It is bristling with good points all along down the line. There is one point however that I can hardly agree with and that is the matter of grades. When the prisoner enters he has already been convicted. He has been pronounced guilty and when he comes to prison he enters upon his stage of trial as to his ability to rehabilitate himself and adjust himself to conditions that will in time make him worthy to return to the world and become a citizen again. I can not see any reason why he can not be handled to better advantage if he enters the intermediate grade. He certainly understands that he enters upon his trial in a spirit of fairness. He goes up or down according to his conduct. This way of construing grade conditions I have never heard advanced before. There may be some element of strength in it, but I can not see it.

MRS. D. W. EVANS, Nebraska.—If prisoners are permitted to enter the first grade I can see that the element of hope is not crushed out of the man's heart. It helps and encourages him to do his best if he does not have to be put into stripes. I believe it would help in the discipline of the prison if this were adopted for first offenders.

DR. S. G. SMITH, St. Paul.—The English system of grading seems to be on the basis of putting the prisoner when he first comes in at the bottom and giving him the severest discipline. He has the fewest privileges and is told that he must win his way up if he can. The theory seems to be that if he knows what the bottom is he will be less likely to break the rules and drop back after he has been promoted. It seems to be based on the principle that the offenses that the criminal has been convicted of in the court are really more serious than the offenses he is likely to commit against prison regulations. It is possible that those who are practically engaged in the work may get the idea that the chief offense of which a criminal may be guilty is breaking the rules of the prison. Sam. C. Lemley, chairman; Frank L. Randall, secretary, and one delegate from each state represented.

The next business was the report of the Committee on Discharged Prisoners, G. A. H. Shideler, Michigan City, Indiana, chairman. The secretary announced that the chairman was not present nor had any report been received.

DISCUSSION ON THE CARE OF DISCHARGED PRISONERS.

MR. TIMOTHY NICHOLSON.—In many states agents are appointed whose business it is to secure homes and places for service for discharged prisoners. That has been one of the troubles in the past, the poor fellows were turned out of prison and no one would have anything to do with them and after a while the only thing they could do was to go back to their old business of stealing. It is very different under the parole system. If a man has shown by his record in the prison that he has tried to obey the rules and in the opinion of the prison officials can be trusted, it is comparatively easy to find him a place of employment. Under the old system from fifty to seventy-five per cent. went back

to their old ways of getting a living. With the parole system and the indeterminate sentence from seventy-five to eighty per cent. of men who have been paroled and have had some one to look after them have got along without going back to prison. Some of them do not rise very high, still they have learned how to take care of themselves. For those states that have not yet adopted the parole system the next best thing is to employ a state agent who shall see that before a man's time has expired some place is found for his employment. The facts in the case should be told. It does not pay for the men to go out under false colors. The man who is to employ them should know the truth. In some states there is a voluntary association for looking after such men.

REV. F. EMORY LYON, Chicago.—In the historical development of penology it has been natural that the great work of the reform of prisoners should be carried on within the prisons themselves. It is a significant fact that those men who have known most about the prisoners have been the first to believe in the possibility of their reclamation, or the reclamation of a large per cent. of them. There is great ignorance on the part of people as a whole as to the strides that have been made in prison reform. People have petted the prisoner in a patronizing way while he was in prison, but when he comes out the turn the cold shoulder to him. If he tries to earn his living in an honest way they give him no chance. It has been discovered that if they are carefully helped at this critical time a large per cent. of these men can be reclaimed to good citizenship and perhaps to high character and Christian life. There are many prisoners' aid societies in Europe, especially in Great Britain and in Switzerland. They are thoroughly organized and have materially reduced the number of recommitments. In Switzerland one of the societies offered to make good any loss incurred by employing men of this description but in twenty-five years they have never had to pay a cent in that direction. With the view of helping discharged men the Central Howard Association, of Chicago, was organized a little more than a year ago, and I am glad to say that we have made excellent progress. From the day we opened we have averaged helping a man every other day. We have been fortunate in securing the co-operation of prison officials who send us the names of men who are amenable to help. We are allowed to get employment for paroled men and have come into co-operation with a number

of manufacturing firms that are willing to employ our men and give them a chance to start. Some of the states have made provision for a state agent and have one for each institution, but where there is a large number of prisoners they have found it impossible to find employment for all the men coming out. We have men in prison who had been recommended for parole seven or eight months but who had not friends in the city or the state to provide the work. In Michigan thus far there has been no provision made by the state to help even the paroled men and the board holds back its recommendation for parole till employment is provided. We shall be glad to co-operate in any way possible in trying to find work for men who may be leaving prison. We have been fortunate in finding permanent work for many men. Nearly ninety per cent. have been effectually helped. We are convinced that if this practical, sympathetic helpfulness will not help these men nothing will. Greater severity will not save them or we might go back to the old thumb screw. If love will not save them nothing will. It is difficult to realize just the condition of the man who comes out of prison, his isolation.

All the ties of sympathy and confidence that make life to us worth living have been severed and he feels that no one has any confidence in him, that no man on earth cares anything about him. The best thing that can be done for that man is to encourage him, to give him new hope and inspiration. It is largely a psychological question. The man who has been in prison has been the victim of a bad line of suggestion which has helped to weaken his will and break down his manhood. If a therapeutic suggestion is needed in the physical line how much more necessary is a specific line of suggestive treatment for this man who we may say is a mental invalid, a suggestion that he may be strong, that he may have hope, that he may be able to resist temptation to drink and find employment. Such suggestion and encouragement would be a powerful factor in enabling a man to be successful in finding employment for himself and in that way helping him to help himself. Our work is voluntary and philanthropic. The average cost for each man helped is from twelve to fifteen dollars. We do not give the men money at all but help them in all practical ways, pay their board a few days, etc. If they are turned down half a dozen times we still encourage them to persist. The prisons have a right to demand of society that it shall receive and help these

men and give them a chance to become good citizens. Society is more or less responsible for the environment that was the cause of their being led into wrongdoing, for it allows the saloons, the brothel, the gambling den. Society should do its part toward reclaiming them.

Q.—What territory does your organization cover?

MR. LYON.—We are organized to help those states that have no prison association. It is a bureau of co-operation between state and local organization. We have partially effected co-operation in Iowa, Michigan and Indiana.

GEN. BRINKERHOFF.—I am much interested in this topic of the post penitentiary treatment of criminals. It is as important as anything inside the prison. Unless we provide it the work inside is largely lost. In Great Britain the prisoners' aid associations are of so much importance that they are largely supported by the government. They are in touch with the prison officials all the time and some one meets every man coming out of the prison gate. Any one who wants to lead a better life is helped to do so by getting a chance. We have failed in this important work in this country.

CHAPLAIN GEORGE W. MARTIN, Nebraska.—We are trying to do in the interior what Mr. Lyon is trying to do in Chicago. There is one matter that seems to lie in our hearts with reference to the reformation of the criminal. We agree that the man has a hard time and that something ought to be done to save him and to set him on his feet, but the idea seems to prevail that all we have to do is to appoint a parole officer and the work will be done. Supposing you take a man and try to help him industriously, give him the habit of labor, but that is not enough. We go farther with our work. Last Sunday at Lincoln we organized a Prison League. We say that it is not enough to make a man industrious. We go right through and enforce prison discipline. The man who joins the league must obey the prison rules in letter and spirit. He must do the best he can to make the prison administration a success. Then we go to the moral life. As you cannot reform society outside, neither can you reform a man in any other way. The problem of the reformation of the criminal is harder within the prison than outside. As we need the church and religion outside we must have it in the prison and we go into the prisons to convert men. One hundred and twenty-three last Sunday

expressed their desire to lead a better life. We expect them to show that by keeping up the prison discipline. We make them members of our society and employ all the therapeutic suggestions to help them. I could tell you of men who have been changed in mind as well as body during their imprisonment. A voluntary association which will find these men work can do it better than a parole officer. I speak to thousands at a time, preaching six or seven times a Sunday and thus make people acquainted with this subject. I go to employers to get employment for these men. I believe that the churches can help to carry out the principles which you advocate. It is not a question of comparison between the parole officer's work and the work of the missionary or the agent of the society for aiding discharged convicts. It is a unification of all these that is needed. If you have parole officers, you must still have the voluntary association. We must go to the roots of the man's life and change that life so that he will be another creature in mind and thought and plan and action.

REV. W. J. BARR.—As we look into the subject of employment for those prisoners that go out, we look upon it as part of our work to see the man as he first comes in and through the whole time of his prison life, and there is always in the chaplain's mind the thought of the time when the man shall go out and what must be done for him then? Where will he go? What can he do? It is an endless task. We are never done with the problem of getting employment for those who go out. The time is coming when we shall have to organize the whole community to employ these men, for there are hundreds of them going out in every state every day. When we go to employers, they ask, "Will you guarantee the men?" I cannot guarantee any man, young or old, but I can almost always be sure of certain individuals and I say I will take the responsibility. Some of them are sincere in their desire to work. It is important for us to take care of those who are going out of the prison. Some men always come to me after service in church who say to me, I want you to meet my wife or my children. Last Sunday a man came, who was formerly a strong Catholic, who had taken a fancy to me because I had showed him kindness. He came to hear me preach and said that he had a family he wanted me to see, that he was doing well. We have had some 300 in our care for whom we had to get work. It is much easier to get employment for men under parole than for the ordinary

ex-convict. I believe that these officers of the state are all right, but I think the chaplain who has brought them into a living relationship with our holy religion will stand for more than any officer of the state.

DR. S. G. SMITH, St. Paul.—I deprecate the tendency to divide the question of morality from the question of life. I never like to hear the intimation that the warden has one task and the chaplain another task. They are both trying to do the same thing from different sides, that is all. The idea seems to be that the chaplain is trying to make the man good and the warden only to make the man behave himself. If he behaves himself, he is good, don't you see? I do not like to hear the suggestion that if a man is industrialized, he has got to be made moral because if he is industrialized he is moral, because conduct is morality. If, therefore, a man is truly industrialized, he is really moral. It seems to me that if we could Christianize the wardens a little and rationalize the chaplains a little you would then all get together. In Minnesota we have a state agent. I believe in a state agent. We have a man who, in the first place is thoroughly experienced in the character of the prison and the prisoner and is fitted by temperament, by ability, by study, by association to do this work. Then he is a man who has the confidence of the business community, a man of sense. A man of this kind is needed in the community. Now a voluntary association is a fine thing, but if there can be no voluntary association, the right kind of a state agent will always make his own organization. We have no technical association in Minnesota, but throughout the state our agent knows men who believe in him who will help him and through whom he co-operates and makes his system effective. He has the confidence of the wardens, and in this way the work is carried on. I should not have spoken except to emphasize what I believe to be so fundamental to this whole discussion that conduct and goodness are the same thing. You cannot make a man good inside without making him good outside, but you cannot keep him good outside without making him good inside. The warden and the chaplain are doing the same work.

MARYLAND PRISONERS' AID ASSOCIATION.

To the National Prison Congress, Kansas City, Missouri:

We beg leave to report a few of the practical, new and salient facts regarding the prison reforms and matters connected with prison work in the state of Maryland:

The past year has been an eventful and fruitful year in the progress of our penal, pauper and reformatory labors in Maryland. The new penitentiary, which is a thoroughly modern and model prison, costing over \$1,000,000, has been completed and is now occupied by the convicts of the state, numbering about 1,000. The chapel is one of the finest and most commodious in the world and in fact all the appointments and departments are the most modern and complete in this country or in Europe.

The industries of this institution are so well chosen that all the prisoners who are physically and mentally able are kept at work and so remunerative are they that the entire expense of the management is defrayed by the income and last year over \$35,000 were turned over to the treasurer of the state, besides the convicts are allowed to receive payment for over-work, which amounts to from \$20,000 to \$30,000. This money, set to the convicts' credit, is at the disposal of the convicts, subject to the discretion of the warden, by means of which they aid their families and often have a little amount to start life anew when released.

The superior management of the Maryland penitentiary under its efficient warden, Mr. John F. Weyler, and the honorable board of directors, has brought this institution to notice through the country.

The religious services and preaching in the chapel where the prisoners are congregated, morning and afternoon, on each Sabbath, have produced very satisfactory results during the past year. Rév. W. C. Stoudemire, the general agent of our association, preaches at the morning service and some volunteer pastor of Baltimore, under the supervision of Mr. G. S. Griffith, president of the association, preaches at the afternoon service.

On Easter Sunday, 1901, there were fifty-one who had professed conversion, solemnly dedicated to the Lord by confes-

sion of faith, baptism and confirmation, and these, together with others of the convicts who had formerly been consecrated to God, received the Holy Sacrament in the presence of the entire audience of the convicts of the institution and a large number of visitors who were seated in the gallery.

This is said to be the largest number of convicts ever received into Christian fellowship in any prison at one time in this country or in Europe. The chaplain, Rev. W. C. Stoudemire, A. M., was assisted in the service by Rev. G.W. Miller, D. D., of the Lutheran church. This was one of the most solemn and impressive services ever witnessed in prison or elsewhere.

The Baltimore city jail stands second in importance among the penal institutions and the management of the same by the warden, Mr. James T. Doyle, is worthy of special mention. He has introduced a number of needed reforms and the entire plant is undergoing improvements and repairs. As in the penitentiary, the religious services are rendered by our association and every facility is given us for the best results, both in the male and female departments.

The Maryland house of correction is third in importance as a penal institution of the state. Its buildings are modern and all appointments both for the prisoners and the work-shops, are of the most improved and latest designs for such institutions. Our association also has charge of the religious services and reformatory work among the prisoners. Mr. Jesse J. Moore, the superintendent, is giving general satisfaction in the discipline and management of the institution and every opportunity is afforded us in the prosecution of our work among the prisoners.

The results of our efforts are by no means so satisfactory in the Maryland house of correction and the Baltimore city jail as they are in the Maryland penitentiary, the chief reason being that the sentences are generally only a few months' duration, while in the penitentiary they average above several years, also the grade of prisoners is much lower in the last two institutions named than in the penitentiary.

We visited during the past year twenty of the twenty-three counties of Maryland, holding religious services in the jails and almshouses of each of these counties, supplying hymn books, Bibles and religious literature to the inmates and prisoners of each of these institutions and as far as possible appointing committees

to give attention to the religious services in the prisons and almshouses and taking an oversight of the released convicts returned to these counties. On these tours of county visitations we meet many of the discharged prisoners in their own homes or places of business and find that a very large per cent. of them are living honorable and useful lives in their communities. They are generally glad to see us and never fail to renew their thanks to us for the timely advice and friendly aid given them while they were incarcerated and upon their release.

We are more than ever convinced of the fact that our work in the institutions is only the beginning of what ought to be done for the prisoners, hence upon release we meet the discharged and give them friendly advice, kindly direction and personal assistance. Thus we put them in the way of commencing a new and better life of honesty and industry by finding opportunity for employment in Baltimore, or assisting them by giving them transportation to their homes or where they may be able to secure employment. Without this attention and assistance on release from prison many of this class fall in with the old companions of vice and speedily lapse into crime and return to prison making their cases more desperate and hopeless than ever.

The Maryland Prisoners' Aid Association secured, through its president, the act of the legislature in 1849, giving the judges discretionary power in cases of young and first offenders. It is being freely used by the judges of our courts in suspending sentence and placing these offenders under the supervision of the parole committee of the Maryland Prisoners' Aid Association. This department is becoming an important factor in the work of our association and is bringing our benevolent and humane work into public notice in Baltimore and throughout the country. By this means hundreds are being kept from the blight of prison association and from a prison record, and thus changing the entire course of their lives and urging them on to a higher plane of living and nobler manhood and womanhood in the after years of their lives. The parole committee visits the homes of these cases from time to time, and calls these offenders together every Friday at 8 P. M. at the office of the association, 318 St. Paul street, and carefully looks into the conduct and surroundings of each case, and at the same time giving them religious instruction,

good counsel and cautioning them concerning the importance of living up to their parole in all particulars.

One of the difficult and yet one of the most important principles of the parole is that each one under our supervision must be continuously employed, for we hold that idleness is the open door to vice and crime.

During the past year our committee has had under its care and supervision 300 young men and first offenders, and of this number only fourteen have broken the terms of their parole, and been sentenced to prison by the court.

The enclosed letters from the judges of the criminal courts and the state's attorney testify to the utility and importance of this department of the work of our association.

The above outline and letters show this part of our work and its practical worth in behalf of this class of offenders.

Feeling sure that this is only the beginning of a practical phase of prison work that is destined to become well known and generally adopted throughout the entire country, we are

Yours very sincerely,

G. S. GRIFFITH, *President.*

WM. C. SToudenMIRE, *Gen. Agt.*

BALTIMORE, Nov. 2, 1901.

G. S. Griffith, Esq., President Prisoners' Aid Association:

DEAR SIR.—I have your favor of recent date asking for my views on the work of the Prisoners' Aid Association in connection with the practical operation of the *parole system*, and gladly comply with your request.

The system referred to was adopted in this state by the act of 1884, ch. 402. It is limited in its application to first convictions for offenses not capital. In authorizing the release of the party in such cases "on probation" much is left to the sound discretion of the court, "regard being had to the youth, character and antecedents of the offender, to the nature of the offense, and to any extenuating circumstances."

In the exercise of this discretion, the court has been materially assisted by the careful investigations and faithful reports of your society. One or more of your trusted officers make it their business to keep themselves in constant touch with the criminal court. Whenever a case apparently belonging to the class referred comes up for action, the practice is to suspend judgment to await the investigation and report of the society upon that individual case. This is in most cases made promptly upon the same day. There have been exceptional cases of some difficulty, where a fair and careful report required longer time. In no one instance has the court seen cause to distrust the entire fidelity and trustworthiness of such investigation, and in very rare cases has occasion been found to differ with the society in the result reached.

The officers are by no means governed by a sentiment of indiscriminate leniency, and do not lose sight of the protection of society as one of the objects of punishment, as well as the reformation of the offender. Cases are of frequent occurrence in which the investigation has resulted in a negative report.

Offenders released on probation are required to "enter into a recognizance, with or without sureties to appear and receive judgment when called upon and in the mean time to keep the peace and be of good behavior." Upon being satisfied that the offender has failed to observe any of the conditions of his recognizance, the court is authorized to issue process for his apprehension and impose sentence.

Besides being under the special surveillance of the police, such probationers are in some cases placed under the care of a parent or guardian, but in a majority of cases under the care of the Prisoners' Aid Society. They are required to report to the society at stated intervals, which in this and other ways is enabled to keep informed as to the party's mode of life, and to exert a wholesome restraint and influence.

Experience has shown this influence to be of a most beneficial character, and the instances have been comparatively few in which such offenders have relapsed, or have been brought before the court for sentence.

The "parole system," as thus practically worked, has proved an exceedingly valuable reform in our criminal jurisprudence and

the Prisoners' Aid Society a most important, if not an indispensable agency, in its efficient development.

Very respectfully,

CHARLES E. PHELPS.

STATE'S ATTORNEY'S OFFICE,
Court House.

BALTIMORE, NOV. 18, 1901.

G. S. Griffith, Esq., President Prisoners' Aid Society, Baltimore:

MY DEAR SIR.—In answer to your inquiry as to the practical working of your committee on paroled prisoners, I beg to say that in my opinion it deserves the very highest commendation. While the law of 1894, providing for the suspension of sentence in cases of first offenders is in itself productive of most excellent results, yet it could never have attained to its highest degree of usefulness so long as there was no way of keeping track of those who were paroled under its provisions, and as you are well aware, there is no branch of the state government which could satisfactorily perform this task. This work your committee has undertaken to do, and it is with great pleasure that I am able to say to you, after a close observation since the beginning of the last January term, that this work has been most thoroughly, conscientiously and satisfactorily performed, and I think that your society has every reason to be congratulated upon the good it has done in rendering so effective the working of this most excellent law.

Very truly yours,

ROBERT M. McLANE,
State's Atty. for Baltimore City.

SUPREME BENCH OF BALTIMORE CITY. Nov. 6th, 1901.

Mr. G. S. Griffith, President Maryland Prisoners' Aid Association:

DEAR SIR.—Replying to your favor of September 4th, I beg to say that I think so highly of the work of the Maryland Prisoners' Aid Association in exercising a supervision of persons paroled under the first offenders' act, that I do not hesitate to characterize it as most useful. It is practical philanthropy most profitably employed. Without the assistance of some such agency in making use of this act with a view to saving from a future life of crime many unfortunates, I believe the end aimed at could not be secured, for little benefit can accrue in this direction from a release on parole unless there be some one to help the paroled persons to employment, take a friendly interest in his welfare and safeguard his conduct.

Very truly yours,

HENRY D. HARLAN.

TUESDAY—EVENING SESSION.

PRESIDENT SCOTT.—I believe that no one regretted more than myself the departure of Mr. Z. R. Brockway from Elmira; but I am really glad now that he has left that reformatory for I believe that a greater field of usefulness has been opened up to him. He brought the Elmira reformatory up to its high standard so that perhaps it can be carried on successfully by others, and it leaves him a great field for instruction in the principles of that admirable institution throughout the United States and I believe that work will be of more value to the community than if he had remained at the head of the reformatory. I take the greatest pleasure now in announcing that Mr. Brockway will speak to us on the "Prevention of Crime".

The following paper was then read:

PREVENTION OF CRIME.

BY Z. R. BROCKWAY, ELMIRA, NEW YORK.

Complete prevention of crime is, of course, impracticable, and probably quite impossible. Extirpation of crime might disrupt society, destroy the very semblance of what is now commonly understood by the word society. So long as human nature remains human, offenses must come—the tares and the wheat must grow together until the harvest, and, apparently, the harvest is not yet. The prevailing social order is in accord with nature and Providence; it is *not* accidental. Dependency and crime accompany a progressive civilization; are, in a sense, a natural product of civilization, and, may we not say, inferentially, are intended to be? These evils are included within sovereignty of the Supreme—purposed in wisdom and beneficence. There may be, in this regard, identity of contradictories—human worthlessness and worthiness traced to the same elementary source—social

contradictories conjoined in the individual without his consciousness of a moral conflict—diverse moral qualities abroad, interdependent, necessary antitheses and complementary. “All partial evil the universal good; all discord but harmony when rightly understood.” Shall we then surrender to crime with superstitious reverence for it as a blessing in disguise? Evidently we should not. Social reaction against crime is also natural; it is inevitable for preservation, and *it* is according to the established social order. All progress, material, social or moral progress is a product of activities bred of conflicts—contention of opposing inward impulses; competitions of our associated life; and contests *with*, rather than against external nature. Opposition to crime is but a phase of the common struggle of all humanity for existence and growth. Only dreamers forecast the perfect state, devoid of both, dependency and crime, and idly wait for it. More realistic aim best serves the present need and *work*, not waiting, will minimize the effect of evils which cannot be entirely cured. Wise measures well applied will carry on improvement, within the range of what is possible to accomplish; improvements to be wrought out in time if also for eternity and, by use of men and means at hand. No obligation rests anywhere to do or to attempt the quite impossible and economy of benevolence as wisdom of it should direct our efforts to what is practicable.

Crime—the term—as used in this relation of prevention, includes all anti-social conduct prohibited by law with sanctions that commit offenders into custody. For prevention there is no need to maintain distinctions as between a felony and misdemeanor; federal, state and municipal offenses; between vice and wickedness. Such distinctions, so fictitious as they always are, base on punishment measured out for retribution, they are confusing and have no proper place in the study and prescription of a pure prevention. Subjective moral guiltiness of offenders is not revealed by statutory grading of the crimes, indeed cannot be safely judged by any human judgment. What one does or does not withhold but shows the nature of the man, he neither made himself originally, nor has he, with wise forecast, fashioned that which he is at any time, therefore his inward moral state towards the author of his being, if there is of blame or praise in that relation, must be adjudged and properly rewarded by one who knows—He who created and directs him. The state would

profit, in restraint of crime, if the sinful estimate of offenders could be eliminated from the statutes and from our attitude as well, leaving only to impel and guide all efforts, the principles of defense. Together with such elimination goes, of necessity, the doubtful element of feeling when unsupported by sound judgment, for it is an unsafe guide for laws and administering of laws, that kind of feeling which prompts to vengeance on the culprit, will oscillate in time, and turn to mawkish sentiment of humanity.

If, as some aver, there cannot be too much humanity, the sentiment needs, surely, good guidance of sound sense—Whately says, “That person is more truly compassionate who sets himself to devise measures for protecting the unoffending than he whose kindly feelings are bestowed chiefly on the violators of law * * * Humanity which is justly careful to avoid the inflictions of any useless suffering is very possible to be an injudicious and misdirected humanity and leads, in many cases, to such conduct as is absurd and pernicious.” It further may be said sometimes leads to very cruelty.

Of present causes which produce the crimes all are included under two divisions, namely: Defective human beings, ill-adapted to existing social order; and the faults, so-called, of social order. Crime is a mal-adjustment of these two prime factors—the man and circumstances. Such mal-adjustment also constitutes whatever is of immorality by crimes. If, as seems must be, the original, the essential quality of a nature, of a character, is unalterably fixed, there is yet a margin, the accidental or the social quality, more or less susceptible of change. So, too, of the environment, although it is according to the providential plan, here also there appears a reservation of contingencies and for changes to be wrought by means of human agency. Between these two, the human character and the outward circumstances, indeed *upon* these, there lies and is the realm of active operations where crime must be repressed. The process is adjustment, let me repeat, adjusting each to each, wherever out of joint we find them, not more, not less, but just, improved, adjustment; it constitutes both the object aimed at and the true procedure.

The wieldsome agencies are, again, two-fold. Those that are authoritative and of the government, mandatory; the others in part or altogether voluntary are more directory than mandatory. Included in the latter are the public schools; the charities, religious

institutions, and all individual aid bestowed by contributions or unofficial service. The former is the government itself, its laws, the instruments and administering of laws; the statutes wise or unwise, a firm or loosened grasp by government, patriotism or unworthy partisanship of rulers—their public honor or corruption—tariff, trade, monopolies and competitions, wealth, work, wages, all are more or less controlled by government and have to do with development of crime.

The infected and infectious class on which the agencies may work effectively for prevention is composed of the offenders, and offensive, the actual violators of laws who subject themselves to arrest and to penalty; together with presumptive and potential offenders, those whose character and circumstances are favorable to crime, and inhabitants whose idleness, vocation or influence is an offense to good common public sentiment—to that accepted standard of social behavior to which all should conform. I refer especially to owners, lessees and managers of property that is used for unlawful or immoral pursuit; to artists, actors, artisans who prostitute their talents, ministering to vice and crime; members of learned professions whose methods and practice is corrupt or corrupting; authors, publishers, venders of vile literature, including emphatically, the yellow journal newspaper; and idle, wealthy, sensuous patrons of whatever is vicious. The aim is—should be—to diminish the evil influence of promoters of offenses, to rescue the exposed or presumptive offender—make him a safer inhabitant; and much more effectively reform or restrain actual offenders when they come into the public custody.

The *habitat of criminals* and crimes is the municipalities and densely populated towns, and it is here our authoritative governmental division of preventive agencies can be most effective. The last census shown 32.9%—over 25,000,000—of United States inhabitants as living in cities of 8,000 or more. In Rhode Island, Massachusetts, Connecticut, New Jersey, and New York there is an average of 76% in cities while in Rhode Island the urban population reaches 81.2%. In the states of Pennsylvania, Delaware, Maryland, Illinois and California, from 40% to 50% of population live in cities and, Chicago claims 2,100,000, while the census shows New York City populated with 3,437,000 souls. It is a reasonable estimate that at the middle of the present century more than half of the total population of the United States will be

urban residents. The festering evils, dependency, vice and crime, feed and flourish in the cities. Colonel Boise estimates that 90% of the 978,000 arrests in 1899 were in cities of 10,000 or more of inhabitants, in cities where the aggregate population is but one-fourth to one-third of the whole. It goes without saying, then, does it not, that the problem of diminishing crimes must be worked out in the *cities*, and the question whether the reform shall be wrought under state or municipal administering is one of considerable importance. We are liable to follow too closely the trail of the older civilizations towards state centralization and bureaucracy; there is danger of losing the benefits of a local or municipal control of offenders without which no very effective governmental prevention of crimes is likely to be accomplished; duty and responsibility are inseparable handmaids; state interference in local affairs tends to relieve local inhabitants of a most serviceable interest and responsibility. The state, having, with liberal bounds chartered the cities, should leave them to administer their own affairs, within the charter limitations, to suffer or enjoy according to the folly or wisdom of their own rule. This desirable local responsibility and public interest may be secured by a system of state taxation of localities, somewhat based on effective preventive local administration. It has been suggested by a Frenchman (Desprey) that punishment of criminals be abolished altogether, that the victims be punished instead, this on the ground that culpable neglect so often supplies the opportunity and strong inducement to crimes. The irony of the suggestion does not wholly conceal the truth that local indifference and neglects *do* conduce to crime, a fault which may be considerably corrected by graduating taxation for support of charities and corrections according to the amount of dependency and crime, including applications, complaints and arrests here and there. That crime may be restrained by reacting pecuniary penalties upon localities is not improbable and believed to be not necessarily in conflict with sound principles of legislation. The Constitutional Convention of Virginia, last July, had up for consideration a proposition (I know not whether it was adopted), to pay the lawful heirs of any person murdered by a mob one thousand dollars out of the state treasury, to be charged to the county in which such murder by lynching shall have been perpetrated. And, actually, for failure of the local authorities to protect railroad property in the

Pittsburgh riots of 1887 the county of Allegheny was mulcted of several millions of dollars.

The bulk of municipal offenders is of the misdemeanor class. Boies says that eight hundred thousand of nine hundred thousand municipal arrests are for misdemeanors. The city is the culture field and *the misdemeanor* the culture organism of crime, a rigorous campaign against this supply source is certainly of good promise. Such a movement might properly absorb all our immediate attention, leaving out of account, for the time, other crimes and criminals—leave them to present laws and practice, however faulty these may be.

The supply of criminals may be cut off at its two extremes—attacked from front and rear—on the one hand there can be less of arrests, with attendant station-house and jail detention of first or early offenders; on the other a correction of recidivism. Beleaguer the citadel of criminousness by besieging its base of supplies—prevent additions to it and deliveries from it. Imprisonment is, at the best, an evil and should be recognized as an active cause of crime. The arrest itself often proves to be the turning point of a life—the introduction to a criminal career, all the more when with the arrest there is temporary confinement in a station-house or jail and, we must admit, that sentences to short terms of imprisonment in any prison, the best or the worst, tends to confirm many offenders in their criminal characteristics. If this is true of the purely accidental offender, it is also very positively true of the class whose habit of dependency is strengthened by early years spent in charitable institutional houses when no suitable industrial training is given. More and more, abroad, these important conditions of crime culture are appreciated; an official English prison visitor writes recently: "No fellow creature should be restricted of his personal liberty by imprisonment a single hour unless absolutely necessary, the first short sentence of a few days scatters the natural shrinking from imprisonment all feel until initiated by their first committal; the first prison residence shows the bath and separate bed room to be preferable to the workhouse and to some of the hardships of free life; the sight of many others in prison gives fellowship in place of sorrow; the associations lead on to repetitions of crimes and committals." M. F. Johnson, in the *Fortnightly Review*, last March says: "Modern prisons and prison management are so changed that they amount

to a change of attitude towards the offenders; hardships imposed for the suffering they entail do not act as a cure but rather serve to intensify the anti-social instinct." He gives facts as to 10,724 committals, twenty times over, each, and quotes prisoners as saying on their reception into prison: "Thank God, I am home again" * * "This prison is a champion place," &c. Inspector Brice declares that of 1,476 prisoners in Pentonville prison 56% had been five times or more convicted, and of the then resident prison population 80% were recidivists. In the United States there exists a similar state of affairs. The best information to be had from the police of large cities is to the effect that of the prisoners arrested in a year only about 20% of them are new acquaintances, fully 80% are well known characters—rounders. And no doubt a considerable ratio of the new acquaintances would be recognized as rounders if by a proper system of registration they were accurately identified. Dr. Koren, of Boston shows: "In one instance he cites where an inveterate rounder with a record of 101 commitments to Deer Island is committed the one hundred and second time by a court ignorant of the fact, that the prisoner gets off with the lightest penalty. By going the rounds of the different municipal courts such repeaters remain unrecognized and are classed as first offenders." Strictly speaking there are none or scarcely any first offenders serving terms of imprisonment, it is a mistaken popular notion that the prisons are populated with prisoners suddenly, recently fallen from rectitude of character and behavior.

This is not because first offenders are not sometimes, probably too often, arrested and committed, but mainly for the reason that short terms and the other influences before referred to soon bring them within the class of habitual criminals. Sixty per cent. of inmates in the first offender prison, the New York state reformatory themselves admit previous experience of arrest and institutional life of one sort or another. My point is that if first offenders, the misdemeanants, closed their criminal career with their first offense, arrest or first committal to prison even, this alone would go far towards solving the problem—The Reduction of Crimes.

There is a comparatively new and unworked field for prevention between the offense and committal of the offender; more of misdemeanants, the real first offenders, may be treated while they

are at large, treated without imprisonment in establishments, avoiding thus the serious evils that always attend imprisonments. I refer, of course, to a possible extension and perfection of the principle of probation with its supervision of offenders to the extent, often, of directing their employment and domestic economy, as well as their public behavior. There should not be, there need not be, habitual criminals developed from truly accidental offenders. Beginning with friendly official admonition without arrest, followed by admonition with probation without imprisonment, under a good system of registration records if need be separate and apart from criminal registration a confidential registration, so to speak, many would, undoubtedly, be saved from public conviction of crime and from a criminal career.

Who here of men has not in his life time, may be in exuberance of adolescence, committed irregularities of behavior which, had they been technically considered, strictly marked against him, given serious tone with publicity and perhaps with arrest and committal, even to a reformatory, might have placed him to-day in a very different attitude in his interest and investigations of the whole question of crime and criminals? There is the best of authority for advocating the probation procedure. "He is twice blessed whose transgression is forgiven and his sin is covered"; the rescue of a soul hides—prevents—a multitude of sins. This forbearance of the probation system is the unstrained mercy from the government to the culprit which blesseth both that gives and takes.

Important as it is to save from prison by means of governmental persuasion, admonition and probation, with good official supervision, such a measure is by no means the whole or chief duty of the government towards misdemeanor offenders, those found necessary to restrain by imprisonment must be more thoroughly treated when they are first admitted. It is deemed unnecessary before this audience to present further facts and statistics to support the statement that our superficial treatment of misdemeanor offenders operates to sift into the general population, especially in cities, great numbers of an improvident class, inert of character, slaves of appetite, unwilling and perhaps unable, in their present degenerate condition, to work and earn and save as the good inhabitants habitually do. If the government should deliberately set about increasing crimes and criminals, no

measure could be more effective for that purpose than the present practice with misdemeanor offenders. When, now, they are apprehended, duly tried and convicted, and the magistrate deems imprisonment necessary, the sentence and period of detention is so short that they go forth soon, with whetted appetites to their usual associations and indulgences. It is as when fishermen quickly return to their native element, the young fish caught, to the end that the fish may grow to larger proportions. The laws against their offenses are muzzled as a keeper of hounds muzzles the badgers that his young dogs may not, in their first contact, be too much hurt or intimidated. Short and repeated imprisonments are, or seem almost intended to be, a hardening process to fit young criminals for more hazardous crimes. Is it not amazing, so costly has been the lesson, that the public has not yet learned that such offenders as need, for the public safety or peace, to be restrained, should be restrained until restraint is no longer needed? What could be more just and reasonable than a sentence and form of sentence by which they should be committed and held in necessary control until they are taught, have learned and been tested in the three essentials of good inhabitaney, viz.: good self control; wise self direction, with the ability and disposition to support themselves by legitimate pursuits and live within the requirements of the laws. The most useful application of the indeterminate sentence principle, in its entirety, must be with misdemeanor prisoners and, it is believed, it is with these offenders the absolute indeterminate sentence will be first adopted, not at all for punishment but protection of the public, protection of the prisoner from himself and to prevent most effectively an increase or continuance of the present volume of crimes. While awaiting the extension of the full indeterminate sentence to the felon class of prisoners, no measures could be so generally serviceable in our department penology, as would be the early adoption and extension of probation to the unimprisoned, and the indeterminate sentence to the imprisoned of misdemeanants, both measures are practicable, and taken together, are a strong tower of defense against crime. To present here a working plan for these suggestions would divert from the topic prevention to that of reformation, the two are necessarily associated, but an outline or summary of a plan only can be included.

It cannot be too often stated that the minimizing of crimes, by agency of the government, is purely a civic problem, as between the state and the citizen. There is need also of frequent reminder that it is mainly an economic problem—a question of adjustment of industrial relations, that is to say an adjustment of the individual character and social circumstances to each other, producing thus the frugal, orderly inhabitant. It must be that every prisoner taken in charge by the government for treatment shall be fitted for and placed in his appropriate industrial niche, or if that proves impossible, that he be relegated to his incorrigible group. This is manifestly the true humanity. Surely it is possible to find an appropriate industrial adjustment for a large majority of misdemeanants and for many felons; it is to be discovered, usually, near at hand both as to time and place; and the fitting process is to be accomplished by simple, every-day, practical, educational agencies also within reach. The plant required must include not so much an increase of custodial establishments as an alteration of what now exists—their better adaptation to the purpose intended. Secure custody is, of course, a necessity; and there must be provided facilities for such industrial and other educational training as shall appear to be most desirable and be finally decided on. So large a proportion of offenders are and are likely to be urban residents, that their industrial education should be largely in mechanical work and such as is followed where they should live. Agricultural training will probably prove more serviceable to misdemeanants than it has been shown to be for felons and some, a quite limited proportion, may best be trained for occupations classed often as professions, for which facilities will be needed. The educational ideal, in this relation, is as an arch well based and balanced, whose various elements are shaped to and grouped about the keystone—The industrial.

Material facilities whose support and management shall be shared by the state and localities are included in the following three divisions of them: (A) The present with possibly some additional prisons of a state well supplied with needed appurtenances for the intended tests and training of prisoners. (B) Farms or colonies suitably located and appointed for agricultural training of some, and to include the branches of horticulture and floriculture. (C) Due provision for the anti-social incorrigible, their continued sequestration in asylum, infirmary, in prison or

in a community by themselves under government well adapted to defectives and semi-savages. The *procedure* should be based on a scientific examination and proper assignment of each prisoner when first received. While such judgment and allotment must be open to revision from time to time, it is nevertheless of great importance that this initial procedure be painstakingly performed. The first judgment is apt to be the best, and readjustments are wasteful of time and obstructive at the first examination and prescription. Wise classification of imprisoned criminals for the purpose of their civic training is so plainly a fundamental requirement of useful reformations that the current neglect and misuse of classification is very surprising. The classification of crimes by statute is wrongly based and therefore generally without reason; prison classification based on the statutory discrimination—or on alleged recommitments—is incomplete; and in the best of modern reformatories the classification of prisoners is inadequate. Ascertained character, capacity and advantageous training are the true guides to classification. To correctly classify the prisoners of the country would of itself illumine both reformation and prevention, would clear the way and speed the hoped for progress. This plan with other plans for human betterment are, for their good use, always much conditioned on *administering*. Yet no superhuman wisdom is required because we wield of natural moral forces what is already operating, with all mankind, for human progress. Free normal action of such forces proving insufficient for the subjects of our charge more forceful application of them must now be made. There is of course a place for skill of management to accurately determine what standard of improvement shall be deemed sufficient for release; and what shall be the nature as the amount of pressure that may be used to promote improvement. The manager is related to this governmental cauldron for resolving raw material—anti-social elements—as is the artificer to his crucible for admixing and refining metals. One uses heat and motion, with alloy, his skill producing gems of ornament. The other wields compulsion producing movement and allows a margin of alloy—the human imperfection—his skill producing, of his raw material, the useful safe inhabitant. There is, moreover, besides the common agencies so generally in use another element of useful training not much used in any prison system, a very basis of our civic life; it is the

principle of *mutuality*. This virtue is not altogether altruistic in the common use of words but rather prompted by self interest, or better still, by welfare. It is in daily intercourse the showing of a mutual regard for individual rights, one's own as well as rights of others; observance of the law with enforcement of it for the mutual good; a sound commercialism where each gets benefits; and as one has said, "A legitimate expansion of a public life and purpose of which each partakes." Mutuality is to be cultivated by the practice of it and involves some participation of the susceptible subjects in a communal self rule. No very thorough experiment introducing such training into prison management has, to my knowledge, ever been made, although here and there prison governors have given some attention to it. My own experience strongly points to the practicability of such practical training.

It is confidently predicted that probation, together with the proposed changes disposing of misdemeanant criminals in the municipality would, shortly, much reduce the number of prisoners in the prisons; that the prisoners which remain would consist of the disqualified for self-support by honest industry, and of prisoner pupils in custody in course of training. Already in England, where latterly more attention is given to youthful offenders; more lenient treatment of first or venial offenders; and with improvements in prison control and management, the proportion of disqualified prisoners in the prisons is greatly increased with a corresponding decrease of susceptibles. It is officially stated that 56% of prisoners in the English prisons are unfit for labor on any of the public works. Such a result of preventive effort, anywhere, must be accomplished by intervention of a mandatory authority—the government itself.

Voluntary and directory agencies can be better used than they now are to check development and any increase of potential or presumptive criminals and promoters of crimes. Just now public sentiment is unusually aroused about regicides, and the government will be urged to adopt new measures to repress and get rid of their class, every good citizen is in sympathy with that purpose and will give hearty support to such new repressive laws as are brought forward by judicative wisdom and statesmanship. However the disease of which regicidal crime is a symptom, is not superficial, to be cured by repression alone. It

is an individual and a public degeneracy whose germs, deep-rooted, demand a constitutional treatment by the government and quite as much by individual and voluntary instrumentalities. Unhygienic conditions so contributory to degeneration may be greatly improved; the liquor traffic with the drink habit may be more regulated and restrained; progeny of degenerate parents may be largely prevented by prohibiting unsuitable marriages, or by surgical incapacitation; more or better home life and circumstances can be provided for the homeless class which so feeds the criminal class, improved family tenement buildings and "Mills" hotels in place of "Furnished Rooms." Distribution of the population to suburban from condensed urban residence is now made easier by electric tramways with cheap fares, to be further facilitated by concentration of industries in suburban towns, a probable effect of combined capitalization of industries. Improved economic relations of one to another may be promoted; each inhabitant is closely linked to every other in the chain of interests so directly affecting if not actually determining human conduct. Individual ownership seems necessary to stability, proprietorship to public spirit, pecuniary prosperity to respectability. Increase of holdings by the common people is a public safeguard, legitimate wealth accumulation accords with public morality.

Laws, police supervision with arrests, criminal practice before the courts, lawyers, all are faulty, need reform, may be improved by wise exercise of personal influence. Disclaiming the role of the preacher, it is ventured here to add that voluntarily each for himself may contribute to an improved public moral tone and so, indirectly, to prevention of crimes, contribute by his personality, not specifically good behavior but rather that which of moral worth each actually *is*. If, as must be true, social behavior is powerfully affected by the social moral standard of the time and community which, in turn, is the average or balance or sum of individual moral activity; then it becomes, does it not, a serious social as well as moral duty specially incumbent upon the self controlled more fortunate citizens to *be* that which shall best contribute to that standard? Just how far one may himself determine his own moral being is a profound question that must be left alone to the individual conscience and his consciousness.

There is a very fruitful source of immediate crime supply, well organized, well manned, operated with good intention and

not without important results where, changing somewhat the institutional aim with corresponding change of method, good prevention can be wrought. Reference here is made to charities domiciled, established for the care of children, such as orphanages, juvenile asylums and reform schools, all fed with degenerate children of school age within and without the public schools. Great numbers of children, mainly boys, are discharged from institutions where, although morally instructed and supplied with care and comforts, they get no thorough training in self-help to self-support. A disposition, hereditary or acquired, to get something for nothing—a disposition usually named dependency—is essentially criminous; a disposition favorable to crimes.

"Poverty," says Paulsen, "is unfavorable to the development of economic virtues, children reared in destitution or by charity fail to experience the pleasure of acquisition and ownership. The desire to have more than is required to satisfy daily needs does not manifest itself or at least remains an idle wish and does not come to a strong volition. When this state becomes a habit the individual becomes improvident and reckless, giving no heed for the morrow. Poverty tends to blunt the sense of ownership in another sense; it weakens the person's ability to discriminate between mine and thine." Paulsen adds: "Poverty is a school of theft prepared is the pupil by mendicancy and the tipping system"—(or charity). A single state, New York, has in charity homes 33,000 children of which number 18,000 are boys. It is estimated that the total census of children's charitable homes (dependent children) throughout the United States exclusive of juvenile offenders, will aggregate from 80,000 to 85,000, a number corresponding closely to the estimated total of adult prisoners confined.

Most valuable for such children would be the training of a wage marking system in vogue in some European charitable homes, (possibly in use here and there in our own country), a system once hopefully experimented with by Mr. Round at the Burnham Farm and applied on a larger scale and more thoroughly in some of our reformatories for adults. The equipment of England, of industrial and reform schools is said to be in advance of the United States, and no doubt the great reduction of prison population in England and Wales is considerably due to these schools and to vacation schools, all or very generally so under the

care and direction of the educational department of the government.

At the close of 1899 there were, in England, under government inspection 228 such schools embracing 30,290 pupils committed thereto, 24,861 boys and 5,429 girls; this with a national population of say 33,000,000.

If the United States had such pupils in the same ratio to our population, the number would be 70,000 and more, but in fact we have only about 20,000 of such authoritatively committed reform school pupils. In England, it is alleged, more attention is given to physical and manual training of the pupils, and the training is claimed to be superior because the number of pupils in each school is less than in American reform schools. It probably can be justifiably affirmed of the industrial and reform schools of our own country that they may be made more positively effective, preventing crimes, if the to-be-discharged inmates can be more thoroughly prepared in industries and economics, also better placed and supervised in self supporting free industrial activities.

After all, it is to the common schools we are to look for surest assistance. By some means, more who are of the school age must be gathered into the schools. Col. Boies, whose statistical statements are very reliable, says that more than 11,000,000 persons of school age in the United States are not even enrolled as pupils. If it be true that of the 11,000,000 many are not properly public school pupils, still there certainly remains within so large a number, millions to be brought in by compulsory education laws, better enforced; by additional attractive persuasions; and by providing semi-custodial, parental, truant and industrial schools. A hundred thousand children in New York City alone are out of school for the reason of insufficient school accommodations. Whenever the public schools really embrace their entire clientage, then it will be possible to grasp the sub-supply—the fountainhead of crimes—the degenerate of children and youth in the land. The juvenile correctional schools, indeed the whole matter of charities and corrections, should be closely united to the control of the public education. One central authority should direct them all for ordinary educational ends, not only, but also with the view to diminish the total of degeneracy.

The out-of-school juveniles, whose idleness, ignorance and associations lead to crime, once within the organized schools, it

will be possible to discover and treat the degeneracy of the succeeding generation, for it will then be included in the children of the schools. Each public school pupil must be subjected to psycho-physical as well as hygienic examination, such an examination is needed for wisely directing the ordinary school work, and equally, or more, important is it for the civic purpose we are considering. Dull or discouraged scholars may be recovered, cured by refreshment of good air, baths with scientific daily exercise and removal of discovered defects. By good physical development the organism may be braced to resist disease and degenerating influences; by scientifically combined mental and physical training for a refining betterment, much of present degeneracy may be overcome and untold benefit bequeathed to future generations. I have been told of a scientific examination that was made of the atmosphere breathed by pupils in the school room of a new school building where the air, as compared with that of a neighboring pig-sty, showed that for purity of atmosphere the swine were most favorably situated. Mr. Prince, agent of the Massachusetts school board, says school-baths have been introduced into some cities of Germany with great success, the children, 90% of them, after half a year, voluntarily shared in the baths, returned to their studies refreshed in mind and body, and there was an improvement in the air of the school rooms. In the Paul Revere school in Boston, 95% of pupils enjoy the bath privilege. It is a blessing, says Mr. Prince, to the children physically and morally and a blessing to the teachers too. Number one school, in the city of New York, has recently put in baths and bathing, and perhaps bathing in public school is practiced elsewhere, but it is no hazard to affirm that the public school system of the country is grossly deficient in the bathing, the physical, manual and industrial training, which items of the public educational training may be made such important means for the cure of degeneracy. The need of physical examinations and treatment for the pupils of the schools is emphasized by what of defects examinations have revealed already. In one school 72% were of defective sight and over 11% of defective hearing.

Eugene Sandow, the strong man, who has a training school in Paris, says the physically fit of his pupils are also physically brave and patriotic; they readily go to the front for war service. Sandow is concerned at the deterioration of physique which is

apparent on every hand, and is trying to get physical development, on a proper plan, to become an integral part of the public school board curriculum. He says: "You can do anything with a child from five to fourteen." A good effect of physical development will be to strengthen a tendency to activity with industry, to diminish pain and weariness of work removes reluctance, adds a new incentive. Good physical and manual training in the schools will lead naturally to industrial education. These three, in connection with a due amount of common mental schooling, will best fit pupils for their industrial career which should be soon selected. At an early age or due stage of school, grade progress, for every boy at least, the future vocation may and ought to be determined by the parents or guardian with the knowledge and record of the school authorities, or if no guardian, then the school authorities should themselves determine it. Each boy's education afterwards should be directed with a view to his chosen calling.

The moral education of children and of common minds needs an incentive other than the bare morality. Some appreciable benefit of individual welfare, good social moral conduct so much promotes the welfare of all mankind and every man that in the process and progress of education the lesson may be made so plain that none need err from lack of knowledge as to moral profit. We know of ethical development that "The first transgression breaks down the barrier which separates the good path from the evil one." So the first victory that is gained is most important if it is the hardest, for every ensuing struggle then becomes the easier until at last in course of ethical development the act that's right is done without an effort. The moral habit is formed by *doing*, not too much insistence should be given to any single motive. Moreover, as certain plants produce germs which are carried through the air until they fall in fertile soil and grow, similarly evil and good deeds produce their germs which permeate the moral atmosphere until passing through the eyes and ears of men into human souls, they fall upon rich ground and thrive. The deed, the germ, the atmosphere, the soil. So goes and grows both vice and virtue.

If we would greatly reduce the volume of crimes that end must be kept in view; public and private effort must be availed of; schools, charities and correctional instruments are means at hand;

economic improvement, industrial advancement with increase of personal holdings are involved and give evidence of progress; the most convincing argument, the one best calculated to enlist the interest of the subject, secure the support of public sentiment and the state is—must continue to be—that prevention is profitable. Also the best test of all social reforms may be their profitableness. Whatever is wasteful of resources is wrong, and what is wrong is never wise. The civilizing of a people or a class is a moral movement based on needs and wants—the manner of supplying them. The idealism of Eden was, by infinite goodness and such wisdom, substituted in due time with the realism of earning by work and economy.

The large field of preventive work is wide as the world; it covers all the interests and influences which make the life of human society. Voluntary individual exertion should be directed to what is near—allied to individual welfare, and such general personal effort simultaneously directed to the same social problem will surely be transmuted into a united influence and worthy achievement. The combined and organized movement of societies such as this one, the Prison Association and the Charities and Corrections Association, should be made with first offenders, misdemeanants, and with the children of the nation gathered and to be gathered into schools and charities.

The religious establishment of the country may well remain devoted as it is to mellow and refined home life, imparting courage based on hopefulness of the Christian faith, and be devoted to good leavening, the people and all efforts for their benefit, with the spirit of the true Christianity.

PROBATION.

Mrs. Elizabeth L. Tuttle, probation officer of Boston, was asked to describe the work there.

MRS. TUTTLE.—Massachusetts has the distinction of having first recognized the importance of probation as a natural and proper part of the administration of criminal courts. In Massachusetts there are seventy probation officers. The work was first begun by a volunteer, some thirty years ago and it was so satisfactory that in 1878 probation officers were appointed. Thir-

teen years later it was deemed advisable to make the probation law mandatory, and as I say there are now seventy probation officers in the state, fifteen of them in Boston. There are eight municipal courts in Boston. In the city proper there are eight probation officers, six men and two women. The women have to do with women prisoners and girls. Women are received at any hour of the day or night by matrons, two by day and two by night. The van which brings them goes in by a covered way and the gate closes behind it. The van is then in an open courtyard. They are taken by the officers with tender care no matter how drunk or wicked they are, whether it is a girl arrested for the first time or a woman who has been there sixty-eight or sixty-nine times, to the house of detention and put into a cell, if possible by herself. That cell is sweet, clean and comfortable. It has a mattress covered with a sheet and a blanket. Some of the cells will accommodate three women. We go there at half-past six in the morning. The women have been there all night but it is seldom that the place is not sweet and wholesome and it is always light and always airy. It is true that the sunlight does not come in there but the room is perfectly light so that I can see to write when talking to the women. Juveniles are never brought to court with adults. They are tried in a special session every day. There is no holding them till next week, no placing of them in institutions or jails. They are tried the day they are brought in if possible and if there is a continuance they are generally placed in charge of the probation officers or with some person who will have responsibility until such time as the parents, relatives or proper guardians can be notified or till such time as the evidence necessary can be accumulated. But there is no sending to jail to wait for the grand jury. The regular business of the court is suspended and all persons not directly interested in juvenile offenders are required to leave the court room until the children are tried. Many times reporters are excluded.

The women are talked with in the morning by the probation officer to see whether they are those who should be given a trial on probation. We investigate their homes, as many as possible before the court opens and we are there to report upon each case. It makes no difference whether the woman is there for drunkenness or some criminal offense, unless it be something beyond the

jurisdiction of our court. Even in that case the judge may ask whether we know anything about her.

If the woman has been arrested for the first time and has a home to which she can go, or we feel that the lesson of her first arrest has been all that seemed necessary, we ask that she may be released. If on the contrary a parent requests that a girl may be given a trial on probation, feeling that that will serve as a restraint to keep her from further wrong doing we ask for that and the judge rarely refuses. He seldom places a woman on probation except at our suggestion. Probation in our court is a continuation of the case. The continuation is usually for seven weeks but it may be renewed at the end of the seventh week or it may then seem better to place her on longer probation, six months or a year. She reports to us and we also visit her. Mr. Brockway has spoken of our caring for them in the home and of teaching them economic ways. We are very often called upon to instruct them in the care of their children, and of their sick, and to teach them the best kind of food to prepare for their children and especially where women are arrested for drunkenness we teach them about cooking food for themselves before going to work in the early morning. I think we have had some very good results in persuading the women that milk and cocoa and cereals are very much better for them than the beer which they are in the habit of getting. In one case I thought I had achieved a great victory when a woman came to me and asked whether I thought it would be best for her to buy a large or a small hat. I went with her to buy the hat and I never took more pleasure in shopping than in buying that hat.

Another result was when I persuaded a woman to give me her money every time she was tempted to buy a glass of beer. I do not remember how long it was but she was surprised and so was I when we found that she had sufficient to pay the mortgage on her furniture and it is now two years since she has taken any beer.

Of course we are seriously disappointed very often, but in looking over our cases last October, we found that 30% of those who were placed on probation in 1896 had not, to the best of our knowledge and belief, been arrested. Of course it is possible they might have been taken before some other court in some other part

of the state, but I do not know of it and we have no reason to suppose they have.

We keep careful records of every case. There has been an attempt made to have all the records sent to a central bureau but the plan is not perfected. We use a card similar to that used by the Associated Charities and when we go to court we take these cards with us to answer the inquiries of the judge. The number of former arrests are taken into consideration in sentencing and it is important to have full records.

To give you an illustration of the probation work let me instance one case. The officer arrested a woman of about sixty for street walking. Two officers testified that they had seen her on the street night after night and they had seen her going to different saloons with different men. They had seen her frequent certain houses, professedly small cheap hotels, and had warned her, but it seemed to make no difference and finally they arrested her. In talking with the woman in the morning she at first refused to tell me anything about herself, and that does not often happen. She simply said "I am not guilty and I do not know what they mean." She had been working, she said, but she would not tell me where. The woman's attitude was such that I was convinced she was innocent and I went to the judge, who on account of the testimony of the officers was about to find her guilty. I told him I did not believe the woman was guilty and asked him to continue the case until the following day. The judge said, "I believe you are right, Mrs. Tuttle," and he did so. The woman then gave me her employer's name and I went to see her. She was very much surprised and said: "There is not a woman in the house I would trust as I do her. She has worked for me sixteen years with the exception of perhaps six times in a year she comes into the house about nine o'clock. She has never been in the habit of drinking. I have often spoken of it when the other women would come in with more or less liquor about them that I never noticed the smell of beer about her." I said "What does it mean then?" "I think I can tell you what it means," she replied. "She is one of four brothers and sisters. One of the brothers is married and away from here. One of the sisters has very little sympathy with this woman and the other brother. That brother has been a care to her for many years. When her

mother died she said, 'Mary, look after John; he will need your care,' and she has taken that as a sacred trust and she has followed him early and late. He drinks and drinks and is a worthless, miserable fellow but always manages to keep out of prison. He never drinks so much as to make a disturbance on the street. When he works he gives Mary his money and she has cared for him. She follows him into saloons and takes him out, waiting till he had his drink and would go quietly. She has taken him to hotels and paid his lodging. She has done everything she could for him. He does not come here because she does not want to be disgraced and she thinks that if the other servants knew about him it would make her trouble." That was her story. Of course the judge discharged her.

We try to keep them out of prison when we can. Of course some of the girls have to be sent to the reform school and many women go to prison. One of our hopeful cases though has been arrested seventy-eight times. Another has been arrested fifty-nine times. She wrote me from the Island to take her clothes out of pawn. I did so and when she came out of prison I found a place for her and she has been a year and a half at work.

On motion it was voted that the newly formed Association of Prison Physicians should be given a place on next year's program. The officers are as follows: President, John Gerin, M. D., Auburn, N. Y.; secretary, O. J. Bennett, M. D., Allegheny, Pa.; treasurer, G. M. Kelley, M. D., Sharpsburg, Pa.

WEDNESDAY—MORNING SESSION.

The Congress assembled at 9 A. M., and was called to order by the President. The session was opened with prayer by CHAPLAIN STARR, of Ohio.

The report of the Standing Committee on Police Force in Cities was prepared and presented by Colonel Felton, and is as follows:

CRIME AND THE POLICEMAN.

BY CHARLES E. FELTON, CHICAGO.

Mr. President, and Members of the National Prison Association:

The chairman of your committee on police having declined to write a report for submission to this Congress, for want of time, your general secretary requested me to prepare one. Thoughtlessly, I consented; but upon looking over the proceedings of former congresses I found that I had heretofore presented or discussed about every branch of the police subject of which I have knowledge, in better form than I now can, without repeating what I have said. And I am but a layman; have passed the three-score-and-ten milepost of life; and have not much changed my earlier convictions; hence, what I may now say may not accord with the more modern thought of my associates on the committee, all of whom are chiefs of city police organizations. I beg their and your indulgence, but invite fullest criticism.

An almost universal conviction prevails that the volume of crime has increased to an alarming extent,—especially in certain cities of our country. That conviction indicates a self-evident and depressing fact. Vices also seem to be more prevalent. We

have been drifting that way several years. Public conscience as to right and wrong-doing has changed; and but little effort is made towards keeping our people morally clean. We may not commit crime; but our standards are lower. The Puritanic requirements of earlier days have been superceded by Bohemian laxity. A halt at a conservative middle ground would have been better. This laxity has so modified public effort that offenders are not punished to an extent that is even deterrent, save during the time they serve in prison. Vices, sometimes to the extent of bestiality, are tolerated, not controlled. Formerly, the almost universal policy in large cities was to localize social and other vices, by restricting the location of disorderly houses to certain defined limits, thereby establishing quarantine districts of social-evil and crime. Lately, in certain cities, the municipal authorities have given orders to the dwellers in such districts to "move on,"—scattering the immoral and criminal residents, and infecting the better parts of such cities, making police surveillance and control more difficult if not impossible. Criminals have become more daring, and indifferent to the possible consequences to themselves of their crimes; and they are more expert, as they bring to their aid the modern discoveries and inventions of the day. If arrested, often they laugh at their captors, believing that they can utilize political, or police, or other "pulls", to prevent conviction. Even if convicted, in a state where an indeterminate-sentence law exists, they may early, by good conduct and a little "con." work, obtain parole, and again be a menace to public order. The deterring after effects of the imprisonment often are not apparent. As an aid to police work, by prevention, the managers of state reformatories should make greater discrimination in the parole of prisoners, and maintain more perfect supervision over them while under parole, than has been the practice. A large percentage of crimes against property and persons is chargeable to paroled prisoners.

The followers of Dick Turpin seem to have had full sway of late. Stores, offices, saloons, railway stations, and homes are robbed by masked men, in broad daylight and in evening hours. Pedestrians walk timidly in the streets, fearing they will be assaulted by foot-pads. The number of highway robberies which are committed in our cities is appalling; and it is seldom that arrests are made. Resistance, or neglect to comply instantly with

the demand "Hand over the money and valuables you have—hurry!" brings a shot from a revolver, or a blow from a sand-bag, a slung-shot, or a club, upon the head of the tardy victim. There is an epidemic of that kind of crime, and in a measure a police force is responsible for its prevalence.

In the country, almost daily, post-offices and stores and banks are burglarized, and railroad trains are side-switched, or stopped in unfrequented places, and cars and safes are blown open and robbed, not infrequently at the expense of the lives of faithful messengers. Men who commit such crimes should be declared outlaws, and the old rule be applied, "There is no Indian so good as a dead Indian." A dead robber is better than a live one. I remember when an effort was being made to capture the supposed leader of a band of train robbers, some years ago. A former member of the Quantrell band offered to assist in the capture. He told the agent of the United States Express Company of Chicago, ex-Mayor Harvey D. Colvin, that he could locate the suspect, and capture him. "How can you capture him?" Mr. Colvin asked. "Why, I will kill him!" was the reply. "But how can we identify him if you do?" was the continued inquiry. The answer instantly came, "Identify him! identify him!—D—— him, I'll ship him to you on ice!" That process of reform is quite summary, and is effective, and it saves much time and money. That suspect was killed, but not by the person referred to. Ordinarily, private detective agents are necessarily employed to secure the arrest of the above class of criminals. That I may not be misunderstood, I will here say that I am in full sympathy with a judicious application of indeterminate sentence and conditional parole laws, as affecting the inmates of state reformatories, the passage of which laws by several of the states was secured through the efforts of this Association; but the presence in such institutions of the above classes of prisoners is deterrent to the reform of others. They should be sentenced to definite terms of imprisonment. Twenty years at hard labor in more penal institutions is protective, as reformatory, less expensive, and is deterrent to other would-be criminals. I much prefer such a dual system. If courts make errors, governors can pardon.

Labor-strikes and lockouts are not so frequent as they were; but they continue to cause very serious disturbances. Organized labor can not shirk responsibility for many of the assaults and

riots which have occurred,—resulting in maiming and sometimes killing those employed in positions voluntarily made vacant by its members. What a criticism it is upon municipal administration that United States courts have had to take cognizance of their neglect to protect the property of citizens and the persons of workingmen! But for restraining orders, issued by United States courts, violence would be the rule. The mayor of a city and his chief of police have no right to consider the rights or wrongs of labor troubles until good order prevails. The duty is to restore order, protect the lives of persons who are being assaulted, and see that property is not destroyed. When order prevails, it is soon enough to consider causes and suggest peaceable means for adjusting differences. Another criticism may be made. The restriction of labor unions against apprenticeships at mechanical industries has been a large factor as a criminal creating agency. Those restrictions cause idleness among our youth; and idleness creates desire and opportunity to commit crime. Those causes largely increase the work of a police force. Why not prohibit this wrong, and not wait until the youth of our country become inmates of state reformatories, in which a chief factor in reformation is industrial training? From the present trend of effort, organized labor, as opponents of prison labor, will soon object to the teaching of trades to the young, even in those institutions. The policy of organized labor should be the elevation of selves and the youth of the country to a higher plane,—discontinuing all peace disturbing practices. Brotherhood between employer and employed can be secured only through rational means.

The swindling of life insurance companies is a source of revenue for another class of criminals. Holmes confessed to having murdered twenty-seven persons, several of whom were beautiful young ladies. Probably he exaggerated the number; and yet four or more were traced, whose lives had been insured, and who died by his fiendish work. Holmes was convicted of murder, but the conservatism of the law gave him considerable time in which to “repent and be saved”; and the hangman, being somewhat in doubt as to the place the man’s soul would go if hurried too much,—to heaven above, or to hades below,—continued his suspension between the two places for a time, his neck being within the noose of a Manilla rope. Another way of swindling

is, to insure persons, preferably unhealthy ones, hoping they will die soon. If one dies expeditiously, all is well. If the insured does not favor the conspirators that way, a cadaver is obtained, and a substitution is made. That method indicates collusion with an agent or employe of the company to be swindled. Another way, as attempted at Chicago, a few months ago: Dr. August M. Unger, and a perfectly healthy young woman, and certain employes of a detective agency, conspired to swindle insurance companies. The woman's life was insured in several companies. Drugs were administered, with the supposed intention that death should be simulated. Great physical and mental agony followed. Dr. Unger was sent for but could not be found, and another physician was called. The simulation was so perfect that the woman did not awaken! The body was immediately cremated, thereby destroying evidence tending to establish manslaughter or murder as the crime. One of the conspirators plead guilty to conspiring to defraud, and Unger and the others were convicted. Dr. Unger is now an inmate of "the pen", at Joliet, and the others paid nominal fines. The managers of the detective agency aided the state's attorney in securing evidence to convict, and they were not blamed for the acts of their employes. Arson, with intent to obtain insurance money, is another form of swindling which is seldom prosecuted to success. Cases of the above kinds require investigation by expert detectives.

Blackmail is another crime which is seldom punished, as the persons from whom money is extorted do not court the publicity which exposure might give. The law in some states is too lenient—penalties are not severe enough. When "extortion by threat" assumes the form of "panel game" or "badgering", the offender should receive a definite sentence,—twenty years being a fair maximum. The receipt of hush-money, by members of a police force, voluntarily offered or by extortion, is believed to have become the greatest impediment to the arrest and conviction of criminals. How far present conditions warrant that belief can only be surmised, as it is not possible to obtain confession from the criminals or others who have been "bled".

Next to capital offenses, abduction or kidnapping seems the most cruel. The case of Charley Ross, nearly thirty years ago,—oh, what heart-breaking mental agony that child's parents so many

years unceasingly endured! Often other loved children are spirited away, not to be returned. Mental relief can not come to a parent until knowledge of the safety of the absent one, his return, or information of his death, is received! Recently, another not infrequent case has come to light. An infant girl was kidnapped ten years or more ago. Her parents supposed her to be dead. A few days ago, she was found in a gypsy camp—a mere creature, lacking in every better characteristic which our civilization would have given her had she remained in her father's home! The loved son of Edward Cudahy, of Omaha—kidnapped, ransom paid, lad restored, the fiends known, and a large reward offered for their arrest. In retort, the threat was made, "Withdraw your proposed rewards, or we will again kidnap, or will kill!" How long shall such crimes continue in this the most highly civilized country on earth, as we assert? We are taught that man was made in God's image; and yet we find that there are men, so made in His image, who are inhuman brutes—devils incarnate, nothing else! Why will men so wound, so destroy the happiness of fellow beings who have done them no wrong! Shall we continue to call them our brothers, and treat them as such? Have we not already gone beyond the boundary line of duty and safety and humanity, by eliminating fear as a part controlling force in the treatment of criminals, and the substitution of kindlier methods pertaining thereto? I do not favor lynch-law; and still there are times and occasions when it has expeditiously corrected great evils. As in war, the end sought may justify the means used. The dreadful slaughter of a day may so change conditions as to benefit mankind for all time. Judge Lynch, in the "early fifties", revolutionized Californian life, and made it unsafe for law-breakers to remain in that country; but it was made safe for honest men to live there. Was it a loss to civilization to take the lives of murderers by summary process, when conservative legal methods could not obtain? Can a terrorized people be blamed, when, perhaps in frenzy, they kill, possibly burn at the stake, those who have violated by force the chastity of loved wives or daughters, as has been done in parts of this country, where intimidation to others, as well as punishment of the guilty, is sought? Yes, we must blame the lynchers; and still we do forgive them. What of the crime on the sixth of September last, when the great and good and universally loved

William McKinley—soldier, patriot, statesman, President,—was shot? The assassin, a perfectly normal man, was not deterred by the menace of statutory law—death—from doing that monstrous crime! Should the infuriated witnesses of that awful crime against man and civilization and government be blamed had they destroyed the life of the assassin? Fortunately, the police of Buffalo were blameless of neglect, both before and after the assassination. If carelessness occurred, it is chargeable to delegated members of the government's secret-service force. They were the assigned protectors of the President. There is no city on this continent where better police control is maintained than in that city.

In the early part of this paper I said, "An almost universal conviction prevails that the volume of crime has increased to an alarming extent". Is it not equally true that "An almost universal conviction prevails that the increase of crime in cities is largely due to inefficient public police management?" The people of a city justly hold a police force responsible for the maintainance of public order within its territorial limits. Insufficiency in number of men is not often an acceptable excuse for existing disorder. The numerical strength of a force may seem small, but it is aided by hundreds of men, who are employed as watchmen and detectives, by detective agencies, banks, stores, manufacturing industries, railways, and other interests—the aggregate number being possibly several times as large as that of the official police. Inefficiency comes from other causes; but efficiency can only be obtained by first eliminating all political and personal interests in the appointment of men and management of a force. Those interests being eliminated, then it may be asked, 'Have you the most competent man you can obtain, as the head of your police force? Is he honest? Is he firm in enforcing his requirements from his subordinates? Is he indifferent to the criticism of politicians and of others whose requests should be ignored? And does he accept and follow, and require from others on the force strict compliance with, that later golden rule, "Public office is a public trust?" Has he sufficient independence of character to decline to comply with all improper requests of an appointing power, even if, by so refusing, he may lose his official head? Has he the qualities that indicate a leader, and not a follower of men? If he has those requisites, the number of police scandals will be minimized; men,

women, and children may safely walk the streets of your city at all hours; and you can slumber in your homes at night without fear of incursions by robbers, who often become assassins. Restraint will be maintained over places where vice incidental to city life prevails; your children will be less likely to be contaminated by demoralizing scenes on the streets; and police control will have been so changed that "the stranger within your gates" will feel as safe as he would were he in his own home town. Such a chief will not be afraid of "losing his head", even if he disregards the suggestions or requests of the mayor of your city, when compliance would be an injury to good government. He will ignore the politician, and not consult any interests which are not of benefit to his people. If you have not such a chief of police, lay the blame where it belongs,—upon the mayor or other appointing board of your city—and demand that a change be made without delay.

A competent chief should have the selection from an approved civil service list, of all men on his force, and not be handicapped in their disposition even by modern civil service methods. He will assign his ablest men to the detective department, those who are sterlingly honest, and who, when detailed for inquiry, will observe and report the most minute incident or article which may possibly have been a factor in the supposed crime which is being investigated. To the lost man in the forest, moss upon a tree is utilized as would be a compass, pointing to the north. In the case "The people vs. Adolph Luetgert", at Chicago, two bones, claimed to be sesamoids, which were so small in size that they could safely rest side by side on the face of a silver quarter of a dollar, established the necessary corpus delicti, no other part of a human body being found, and a verdict of murder was rendered by the jury. Sometimes, however, appearances are misdirecting; hence, detectives should avoid letting inferences wholly control their conclusions. Even the able Sergeant Cuff, of Scotland-Yard, a character in the best book of detective fiction I ever read—"The Moonstone"; by Wilkie Collins,—formed erroneous conclusions when noting indications of crime. In the case of Leutgert, many persons doubted the justice of the verdict. If he was guilty, the crime was atrocious;—he had destroyed the body by boiling it in a soap-kettle, or

consumed it in a furnace. That the jurymen were also somewhat in doubt may be inferred from the fact that, in their verdict, they fixed as the penalty imprisonment for life, instead of declaring a sentence of death. The wife of Leutgert was absent from her home. The police department was notified; and it was determined that she had been murdered; and suspicious circumstances indicated that the husband committed the crime. Detectives were assigned, and informed of the person against whom suspicion rested; and they were directed to obtain all the evidence they could. From the very nature of their professional business, and the instructions given, they would look upon but one side, brushing away all else; and, in time, they wove a net of circumstances conclusive to their minds that the stated suspect was guilty of murdering his wife. Upon their testimony an indictment was obtained. Could a state's attorney take any other view than that the indicted man was guilty? The principle that it is the duty of that officer to secure justice, not necessarily conviction, is waived; and the contest becomes but a war of talent, to see which of the attorneys shall win the case. Is not a defendant sadly handicapped when under such conditions? It is government detectives against private detectives, who, if employed, receive but meagre pay, unless a defendant has large means. It is the woven net, the fibres forming which are not fully known by the defendant, until it is too late to secure evidence for rebuttal. It is a prosecuting attorney, who has been selected for his great talent, against an attorney who, perhaps, has been assigned by the court, the defendant not having the means to employ one. Are not these sufficient reasons why detectives should be honest, able, discriminating, and just men?

The existing facilities for avoiding arrest suggest that more efficient methods for the identification of criminals be followed. The Bertillon system, perfect as it is, is but indifferently utilized in this country. The boundary of its usefulness should be worldwide. This National Prison Association has always favored its application in police and prison work, and its members have caused legislation to be passed in certain states, requiring its use in the prisons of such states. At a congress of this Association at Boston, in 1888, and again at Nashville, in 1889, I urged that not only the system be adopted as an aid in prison management, but

that official measurements be taken of all adults, as being of benefit to themselves, their friends, and the public. I submitted measurements of certain members of the association, and other gentlemen who stood high in public thought; and in 1891, in Pittsburg, I submitted newly taken measurements of the same persons. The two measurements so perfectly corresponded as to justify fully the claim of M. Bertillon that the bone structures of mature man are not changed by age. I endeavored to show the great and varied uses to which the system might be put; and also urged that it be utilized in international affairs. At Boston and Nashville, in part, I said, "Looking backward, how much time and money would have been saved, had the Bertillon system been applied in the description of the now famous Tascott, when a prisoner in Kentucky, some years since? And he is but one of thousands of this kind,—fugitives, believed to be such, found, but not identified. Fifty thousand dollars reward was offered for the capture of Tascott, and only a vague description could be given by which to identify him, if arrested! If a perfect description of him could have been obtained and published, the many suspects who have been arrested since he became a fugitive might have been immediately discharged, as their measurements, if taken, would not correspond with his. Would not that have prevented much injustice to others being done? And the only objection yet urged is, that it is unjust to prisoners to take their descriptions! Why, my friends, you are not criminals; but what objection can there be to your description being taken? I favor the taking of the description, by the Bertillon system, of every matured person, and putting it upon record. If you are arrested as a suspect, for a Tascott or other fugitive, and have had your description recorded, you can easily establish the error and obtain a discharge, without waiting for persons to come, possibly a thousand or more miles, and say you are not the man we want. Or, if we are criminals, that is our fault. The record is one of the very few aids the people would have, if we committed crime and are found. By it we can be identified. If we are honest men, no harm can follow. Suppose you had been murdered, as was Cronin, and your body be not found until partial decomposition had occurred; or that you had lost your reason, and wandered from home perhaps thousands of miles; or some loved kindred or a friend had thus suffered; what harm, if, at a prior date, such measurements had

been made and recorded that, with like instruments, if dead, the body, or if living, the person, can be identified, if found? If dead, the bone-case of the skull, at least with two measurements, will be there. If living, and crazed, no measurements have been changed—all are the same—and the unfortunate sufferer may be returned to his home or to his friends. Think of the advantages which might often occur at post-mortems in cities. Bodies are found, with clothing destroyed, faces and bodies mutilated, and possibly partial decomposition taken place. An unknown man, murdered by parties not known to the jury. There are hundreds of such incidents. Later, inquiry is made for a prominent citizen of a remote city, who left home upon business or otherwise, some weeks prior to the search. The descriptions taken at a morgue are of little use, and the unknown man is still unknown. How many anxious, broken hearts are wondering, hoping, praying; but there can be no return of the lost one! Could the body have been identified, it might have led to the arrest and conviction of the murderer. Who, if an honest man, will object to the establishment of a bureau, in which his and every man's description shall be filed? To what good use the system might, also, be put by life insurance companies? Dead-heads from poor-houses and graveyards could not be substituted for living claimants, without collusion of the officers of companies and the claimants and the experts who measure the corpse. If attempted, the fraud would be detected, and the insurance companies would not be defrauded of their moneys; and the living doubles could be prosecuted and punished. If it were the innocent dead and not the guilty living who could be punished, I am not sure but some of our dissenting prison wardens would yield their objections to this system. It is only when the interests of criminals are at stake—when it is necessary to identify them—that objections are raised. If offices were opened in the large cities of this and other countries, and patronized by persons who intend going abroad, what means of introduction and identification could be so conclusively right as the comparison of measurements under the Bertillon system? It would furnish the information often wanted by bankers and others, without the aid of those who know both parties to the business to be done. Those uses would not be declared objectionable. There is another use the system might well be put to. As in substance said by me at our congress at Boston, in 1888,

foreign governments and foreign prisoners' aid societies and other organizations have, for many years, assisted thousands of ex-convicts and other members of the defective, dependent, vicious, and criminal classes in their migration to this country. We place these people under no special restraint, and they are a constant menace to the public weal. If they commit crime they should be punished with the same severity that they would be were they native-born citizens; and at the expiration of their terms of service they should be banished from our country, and sent back to the place whence they came. If they return to us, that fact should be accepted as *prima facie* evidence of intention to commit crime, and they should be proceeded against as habitual criminals, and be permanently imprisoned. At some time, the United States government will pass laws protecting our citizens from the presence of these objectionable and dangerous foreign-born people; and the Bertillon method would be a great aid in determining their identification".*

Considerable use has been put to the Bertillon system by a quasi-official organization, called the "National Bureau of Identification", having headquarters in such city as it from time to time directs. That bureau was at Chicago, but it is now located in Washington, and its officers are hopeful of receiving aid from the national government. My best thought is, that, to make the system useful, each state government should establish a bureau of identification, upon the Bertillon plan, and that there be an uniform system of exchange of information between the several state bureaus. Confining identification work to a police bureau, controlled by a few chiefs of police, is not broad enough; and the general efficiency of such a half-official half-personal bureau may well be doubted. Each individual state defines crime and determines penalties. By uniform legislation, however, the criminal may become, in a measure, and be declared an inter-state offender. Legislation to that end should be had.

Constitutional restrictions prevent interference by the United States government with state laws relating to crime; and still, while not having jurisdiction, it is sometimes held responsible to other governments for the consequences of violated state laws.

*Congress thereafter passed a law which authorizes the deportation of certain objectionable emigrants.

Witness the murder of Italians, in Louisiana; and of Chinamen, in Colorado; and of Hungarians in Pennsylvania and West Virginia. The United States government can and should establish a central identification bureau at Washington, for interstate purposes; and the several states in the union should adopt the above suggested plan. The national government can also make such bureau an international one. The civilized nations of the world are menaced as never before by murderous assaults upon rulers. Our own government, the best on earth, has been the greatest sufferer. Killing a ruler, be he king or president, is not an ordinary murder, nor a mere political offense. It does not overthrow a government, be it good or bad. It is a crime against civilization. We are seriously menaced by anarchists—base products of the old world, even though the birth-place of many of them is here. And other classes nearly as poisonous to our country's welfare have been mentioned. Why should not our government require a passport from every emigrant, and record it,—which passport should be accompanied by a perfect description of the person named therein, making identification easy? A national bureau would then become an aid to the states, and also be of international service. Foreign-born persons who commit crime could be identified as such; be punished as are other criminals; their citizenship annulled, if they have become citizens; and when their terms of imprisonment have been served they should be returned to the country from which they migrated; the penalty for their return to our country being, imprisonment at hard labor for, possibly, the remainder of their lives. Foreign governments would readily acquiesce, by treaty, with any reasonable requirements we might make to protect ourselves from the presence of dangerous persons who owe allegiance to such governments.

CHARLES E. FELTON.

Concurred in,

JOHN HAYES.

Chief of Police, Kansas City, Mo.

"SAVE THE CHILD."

BY WILLIAM RUEHRWEIN, SUPERINTENDENT OF THE CINCINNATI
WORKHOUSE.

Ruskin says "The true history of a nation is not of its wars, but of its home and household; the hope of the world lies in the children." Assuming this statement to be true beyond any controversy, I have endeavored to gather ideas which seemed to me as being helpful in solving the problem which in many ways is to us an especial one. Our work, it is true, has to do with men and women. Have we not, however, much reason for believing that prevention is better than cure when it comes to solving the question of crime; so that in saving the child we are laying the best foundation for prevention of crime.

In the front rank of the foe to the subject of this paper rises before me drunkenness. The injury to the child from this one source is, it seems to me, beyond estimate. Observation in the police court, the proceedings in divorce courts, etc., tend to emphasize the position that nothing so disturbs the family life as the intemperate use of liquor, be the victim of this habit the father, mother, son or daughter; even those more remotely connected with the family have, through such excesses, brought sorrow and grief beyond repair. The father, through this habit, brings himself and family into distress and suffering through want for food, proper clothing and care. The mother to disgrace and shame to her household adds special blight to her sex and society. The son who thus indulges an unnatural desire falls into idleness, slothfulness and finally into crime; and the daughter in becoming a victim to the habit, easily becomes the booty of prostitution.

Until some more satisfactory cure for immoderate use of strong drink, some means to check the fruits of this most deplorable vice which after its own kind produces a harvest of misery and crime with which to fill our prisons, jails, work-houses, houses of correction, and almshouses, not to mention the number who, as an indirect result of this mischief, are being cared for in other public and private institutions dedicated to the care of the helpless. Following closely upon the heels of this evil and not far in the rear of it, is a too free use of liberty among our little citizens

which could perhaps be more appropriately called "license," in that it is liberty abused. I have in mind the altogether too prevailing habit indulged by indiscreet parents in allowing their children to roam at all hours upon the streets at night. Not infrequently do we find our little people of fifteen years and thereabouts in unseasonable places at unseemly hours. To counteract this "worker of ill" the so-called "Curfew-law," requiring boys and girls of fifteen and under to be indoors not later than 9 o'clock P. M. in summer, nor later than 8 o'clock P. M. in winter, plays a very effective part in many cities both here and abroad, effecting a decrease of from fifty to twenty-five per cent. in the arrest of minors, and almost a like decrease in the commitments to reformatories and houses of correction. The chief of police of St. Joseph, Missouri, (one of the cities conspicuous for having given the curfew-law a most careful test as regards its enforcements) is said to have reported a decrease of fifty per cent. in the commitments, as being one of the good results obtained from such enforcements. The Hon. Judge Carlons, in his decision, saying "nothing good comes from or to children on the streets after nine o'clock. Nothing but disease and affliction. The hours after nine o'clock P. M. are responsible for the ruin of more little girls than all the preceding; and it is during these hours that boys are educated to become thieves and burglars instead of being at home enjoying the sleep provided by nature. These children are permitted to remain on the streets and breathe the foul and dangerous odors of the night. In time they are found loitering about saloons and disreputable houses and learning the evil deeds that are done only in the dark." "I realize," continues the judge, "that the first impression of the curfew-law is, that it is un-American, and borrowed from the monarchical governments of the old world, but I take the view that it is reasonable in all its provisions, and a wholesome law in all respects. It will assist the police in the suppression of crime, and save the young and innocent children from growing up in vice and sin on the streets. I believe in time it will reduce the number of criminals in a great measure."

This ordinance whose efficiency is recommended by every fair minded man and woman, has the merit of seeking to save children, an old truthful saying, "Save the child and you have reduced crime." Prevention of crime is better than cure.

Parental neglect is also a most fruitful source of crime among our little charges. This, not infrequently is a direct cause of reckless lying, dishonesty, knavery and drunkenness, and helps to fill our prisons and reformatories with those who most needed parental love and careful rearing at home, surrounded by the air and influence of a home "where dwelt the love of Christ" and His teachings.

The good work that has been accomplished in houses of correction or refuge in the past is fully recognized, as also the fact that they have a very important place to fill in the care of the unfortunates and incorrigibles who are prevented by circumstances from being placed in acceptable homes.

The sooner places are found in good Christian families for children the better it is for the child. The improvements made in the industrial training of children during the past years have been of great benefit to these institutions, thus enabling them to send many out into the world well trained for the battle of life.

Mr. Allison, superintendent of the house of refuge at Cincinnati, Ohio, in his annual report says: "The average number of children admitted since opening of the house, October 7th, 1850—12,551—of this number 10,233 were boys, and 2,318 girls. Established in permanent country homes, 1,296." Mr. Allison said: "It is safely estimated that fully ninety per cent. of the children leaving the home do well." Mr. Costello, the department superintendent, and visiting agent from the same institution, says: "The conduct of ninety per cent. of those paroled and placed in homes reported as being good." He says, "We are pleased to say that our efforts during the year just closed have been crowned with satisfactory results. Our paroled inmates—boys and girls—have been visited in their homes several times during the year, and in the majority of cases we found them comfortably and pleasantly situated, giving promise of becoming useful men and women." Which all goes to show, when these boys and girls grow up they will become good men and women.

This goes to show the importance of these institutions in saving the child from neglectful parents, teaching incorrigible children that to "do right" is always best.

Dr. Powell, of Iowa, in an address says: "Impulses must be aroused and stimulated that tend to action, help, and beneficence—

the desire for removing human error, and diminishing human misery, the noble aspiration to leave the world better and happier than we found it."

The hope of the world lies in the children well educated and trained to "do right". And the reason is very plain. Dr. Mott says: "A father's authority and a mother's love are essential to training up a child in the way he or she should go."

WEDNESDAY—EVENING SESSION.

The last session of the Congress was called to order by PRESIDENT SCOTT at 8 P. M. Prayer was offered by CHAPLAIN BATT. The following report was presented by WARDEN WOLFER, in the absence of the chairman of the committee appointed in Cleveland to look after legislation.

November 11, 1901.

To the National Prison Association:

The undersigned, appointed a committee by the last Congress to endeavor to secure legislation by the Congress of the United States establishing a National Bureau of Criminal Identification, beg leave to report that a bill for that purpose was drafted and introduced in the senate by Hon. S. M. Cullom, of Illinois, and in the house by Hon. Chas. Curtis, of Kansas; that said bill is now in the judiciary committee of both houses, and favorable action thereon by the coming congress is confidently anticipated. We, therefore, ask leave to hereby report progress and suggest the reappointment of a similar committee for the same purpose.

Respectfully submitted,

R. W. McCLAUGHRY,

ALBERT GARVIN,

EDWD. S. WRIGHT,

Committee.

WARDEN WOLFER.—Inasmuch as this committee has done such able work in the last year I hope that it will be reappointed at this time, making only one change. The superintendent of the prisons of New York has aided this committee very materially in assisting in forming a nucleus for this bureau and has taken charge of these card records for seventeen states of the Union without expense to any of them. It has been suggested that Mr. Collins ought to be put on this committee and I would suggest

that the committee be made up of Mr. C. V. Collins, of New York, Major R. W. McClaughry, of Kansas, and Warden Garvin, of Connecticut. I make that as a motion.

The motion was seconded and adopted.

A paper was then read by Professor C. A. Elwood, of the Missouri State University.

THE NEED OF A REFORMATORY FOR ADULT CRIMINALS IN MISSOURI.

BY PROF. C. A. ELWOOD, STATE UNIVERSITY OF MISSOURI.

Mr. President and Members of the National Prison Association:

In welcoming you to the bounds of our state I regret that I cannot point to Missouri as one of those states which has best exemplified in its laws and institutions those principles and practices in the treatment of the criminal class which your Association has advocated for more than a quarter of a century. It is with humiliation that I confess that our state stands, as regards its prisons for adult criminals, practically where the states of the East stood when you first began your labors. And yet for this very reason the meeting of your Association on the soil of Missouri at this time is doubly welcome.

If we cannot claim to have exemplified the principles and practices of prison reform, or to have made much progress toward the solution of the great problem of crime in our state, yet we as a state are looking forward to new things and are ripe for any influence which this Congress may exert.

Splendid pioneer work has been done in Missouri in the reformatory treatment of juvenile offenders, and especially is that noteworthy which has been accomplished by the present chairman of your committee on Preventive and Reformatory Work. But nothing has ever been done in the way of the reformatory treatment of adult first offenders between the ages of eighteen and thirty years. From the theoretical point of view, this would seem illogical on the part of the state; for it is recognized by all educators and psychologists that the young adult is almost, if not quite, as susceptible of training and education, and therefore of reformation, as the adolescent. Men's habits, psychologists tell

us, are not usually fixed under the age of thirty; up to this age men are "but children of larger growth", and if reformatory treatment can be applied successfully in the case of children, there is no *a priori* reason why it should not be applied successfully in the case of adults between eighteen and thirty years of age. If the state employs the reformatory method in the treatment of its juvenile offenders, there is then no theoretical reason why it should not also apply that method to first offenders who are somewhat older.

From the practical point of view, also, there is no good reason why Missouri should not have had ere this a reformatory for the treatment of its adult first offenders.

The reformatory idea is nothing new or untried; its success in the case of young adult criminals has been demonstrated in more than a score of states and foreign countries. New York, Pennsylvania, Illinois, Minnesota, Ohio, Massachusetts, Colorado, and other states all have reformatories for adult criminals, and I believe that without exception the work of these institutions has been distinctly successful. It is claimed that eighty per cent. of the inmates of the Elmira reformatory are restored to society honest men, and if this be even approximately true it must be said that the reformatory is the most powerful instrument yet devised by man for dealing with the criminal class.

The practical success of these reformatories for adult criminals in other states has long since warranted the erection of such an institution in Missouri. From the practical point of view, then, there could have been no sound objection to the establishment of such an institution. Accordingly we must seek the reasons for its non-existence outside of the results of the theory and practice of prison science.

The real reasons why Missouri has been late, as compared with other states, in adopting the reformatory idea in the treatment of criminals are to be found in its political and social conditions. For years it has been the practice of each incoming governor to change nearly the entire personnel of the officers of our state penitentiary. Almost an entirely new set of officers has been called upon to take charge of this great institution every four years; hence there has been no opportunity for the development of experts in the treatment of criminals, and so no way of educating the public opinion of the state with reference to this important

matter. No better illustration of the public apathy in this regard could be given than an event which occurred under Governor Marmaduke's administration several years ago. The state legislature voted for the establishment of a new prison which the friends of the reformatory idea hoped might in time embody the new principles of dealing with the criminal class. A commission was appointed to locate this prison. After considering various locations offered at several points within the state, the commission finally decided, under the influence of Governor Marmaduke himself, to locate this new prison within the walls of the old penitentiary. No protest against this remarkable proceeding was heard from the people or their representatives. Thus were blighted the first expectations of prison reformers within this state.

I believe that the time has now come, however, when all friends of prison reform in Missouri should enter upon an active propaganda for the establishment of a state reformatory for adult first offenders. As I have said, our state is ready for new things; it is looking for new ideas; it is anxious to bring itself up to the standard of the highest and most progressive. There has accordingly been growing up in the state an increasing sentiment, fostered chiefly by the State Board of Charities, in favor of the reformatory method of dealing with the criminal class. Coupled with this favorable condition of the public mind is the present need for such an institution. The penitentiary at Jefferson City is over-crowded; it contains over two thousand prisoners and is one of the largest institutions of its kind in the world. It cannot become much larger and a new prison of some sort is emphatically demanded. That the penitentiary at Jefferson City is in no way doing the work of a reformatory is a fact admitted by all—even by its own officers. To show you how far it is from the ideal of a reformatory I need but tell you very briefly of the conditions which obtain there.

There are no single cells in the whole institution—two, three and even four men are kept in a cell together and that without any regard to their moral condition, or previous criminal record. In fact, there are only the most rudimentary beginnings in classification. No progressive classification or grading of any sort is being attempted. First offenders intermingle freely with hardened criminals, and it is no infrequent thing for a young first

offender to be put into the same cell with a long term man, who has already been in the penitentiary for years.

There is no school of any sort for prisoners, though the Chaplain told me that he encourages the illiterate to learn to read and write. The chaplain's numerous duties as postmaster, librarian, etc., cannot leave him much time for the religious and moral instruction of the prisoners. Indeed, there is almost no personal contact between the prisoners and the officers of the institution; consequently no individualization of cases. There is no system of physical training and no opportunity to learn trades, save that which the contract system affords. Indeed, the whole institution is run like an immense factory whose employees are under restraint. It is run, too, with the definite object of making money. During the year ending December 31st, 1900, not only was the institution entirely self-supporting, paying its own expenses to the extent of upwards of half a million dollars, but it turned into the state's treasury a surplus of fifty thousand dollars. If we were to measure the success of such an institution by a financial standard, we would have to say that the Missouri state penitentiary is the most successful institution of its kind in the country; but the very method of administration which secures this financial success necessarily robs the institution of all possibility of taking on a reformatory character.

The picture which I have sketched in rough outlines for you is manifestly that of an institution which was common in the United States before your Association began its labors. No officer of the institution, either past or present, is to be blamed for the present condition of affairs. The fault is that of a system, not that of particular individuals. The system has been handed down through a long series of years, and the tradition that obtains in the institution is that it exists for the punishment of criminals and not for their reformation.

As a place for the detention of hardened criminals, indeed, I would not criticize the institution. I am only concerned to point out that there is in its administration an utter absence of the reformatory idea in the treatment of prisoners. The officers of the institution, either present or past, are not primarily responsible for this. The responsibility rests in the first instance with the people of this state and their representatives in the state legisla-

ture; and, if blame is to be attached to any one for the existence of the present system, it must be attached to the people as a whole.

The only possible objection which could be made to the erection of a reformatory for adult first offenders in this state, that is not an objection to the reformatory idea itself, is that the opening of such an institution would practically compel the state penitentiary to go out of business. This objection hardly needs serious refutation. The work of a reformatory would in no way encroach upon the legitimate work of our penitentiary. From the very nature of the former institution its work would be limited to that class of youthful offenders whom judges and juries believe to be capable of restoration to honest living. Again, the penitentiary and the jails in our large cities are more than over-crowded and a new state institution of some sort is emphatically needed to relieve these. The only question apparently is whether the present accommodations at our state penitentiary—an institution already much too large—shall be increased or whether the state will undertake the erection of a new institution on modern lines.

That Missouri can well afford to spend some money in the erection of an institution which will contribute something toward the solution of the problem of crime may be easily shown. If we base our estimate of the cost of crime in Missouri upon the facts presented to your Association last year in an able paper by the Hon. Eugene Emith, of New York City, the estimate cannot fall below twenty million dollars annually. If the citizens of Missouri pay twenty million dollars a year on account of the presence of the criminal class in their midst, they surely might well afford to pay a hundred thousand a year to see what scientific treatment could do toward the abolition of that class.

It has been truly said that the only effective way of protecting society against the criminal is to reform him. If you cage the criminal as a wild beast and then release him again without having in any way modified his nature for the better, society has in no way been helped; for the chances are that when the criminal is let out of his cage he will be more bitterly disposed toward his fellow-men, and hence more dangerous than ever.

It is true that the problem of reforming criminals is not a simple one but experience has demonstrated on the one hand that it cannot be expected that any reformation can be wrought by

penitentiary imprisonment, and on the other hand, that reformation can be accomplished in the case of the bulk of youthful first offenders through training and education, physical, intellectual and moral. It can no longer be claimed that the reformatory system of treatment for criminals is chimerical or impossible. Results the world over show that it is the one method, with the exception, perhaps, of the probation system, of dealing successfully with incipient criminals. Furthermore, the results of the science of criminal anthropology—the study of the criminal himself, physically, mentally and morally—have powerfully contributed to support the correctness of the reformatory idea. This young science has conclusively demonstrated that the criminal class is to be regarded not simply as a delinquent class, but also as a *defective* class. The great bulk of our criminals have been shown to be more or less abnormal men; hence the ideal institution for dealing with them must be one which will seek, by various methods of training and education, to remedy their defects. Science unites with humanitarian sentiment in proclaiming that the proper treatment of the criminal class must be essentially of a reformatory character.

Until Missouri recognizes this fact by the establishment of an intermediate prison, whose work shall be the reformation of youthful offenders, it cannot be counted as among the most enlightened and progressive of our commonwealths.

At present, Missouri is trying to do only half its duty. It is endeavoring to protect its honest citizens from the attacks of the criminal class but it is not endeavoring to restore its erring members to lives of usefulness and honor. But the one task can only be fully performed by the performance of the other. So long as this state neglects the remedial and preventive treatment of crime, so long will it be unsuccessful in protecting its citizens from crime.

In conclusion, allow me to again express the hope that the meeting of your Association with us may be instrumental in bringing our state to take the step which it must take in order to rank, in its treatment of the criminal class, with the most enlightened states of the Union—the establishment of a reformatory for adult criminals.

MR. BROCKWAY.—One man who has such ideas as that paper indicates can get what he wants if he will only go at it right. He

simply needs to prepare a bill and give proper advice to the senator who is to introduce it. That was done in New York and the bill passed the legislature without an opposing vote, though it was a radical measure at the time. I well remember when Gen. Brinkerhoff brought to the Elmira reformatory those members of the legislature who were opposed to having a reformatory in Ohio. One of them said that he was always "agin" such a reformatory, but he owned that he was converted and he went to the hotel and called his committee together and made them pledge themselves to vote for the appropriation. By some strange moral or social alchemy there has always followed a meeting of this Association in any state a forward wave of reformatory movement. Have courage, brother!

A paper on "The Jail as a Crime-Breeder," was read by Professor F. W. Blackmar, of the Kansas State University.

THE JAIL AS A CRIME--BREEDER.

BY FRANK W. BLACKMAR, PH. D., PROFESSOR OF SOCIOLOGY AND
ECONOMICS IN THE UNIVERSITY OF KANSAS.

We have a well developed civil and criminal machinery for filling our jails with inmates. The policeman, the constable and the sheriff are vigilant to arrest people and place them behind the bars. The prosecuting attorneys, working in the service of the state and the community, are earnest in their efforts to convict people of the crimes which they have been accused of. The judge is not lacking in his duty in pronouncing the sentence which remands to jail those persons who are convicted of crime and misdemeanors, and those persons into whose charge the criminals are committed see to it faithfully that they are retained until the expiration of the term of their confinement. The machinery of the government seems to be well formed so far as the apprehending of violators of law and landing them behind the bars is concerned. The officers do their duty well, although it is not intended to infer from this that the machinery is absolutely perfect or hundreds who are still at large would be apprehended and imprisoned. If the machinery of the government was perfect the criminals at large would soon be forced to join the criminals in

the jail, which would greatly increase the present criminal population. For it is evident that the line which separates the criminal from the non-criminal does not coincide with the prison wall.

What a motley crowd we find in the ordinary jail! Boys of all ages, some of whom have just taken the first step in crime. Youths who have been guilty of small crimes and misdemeanors through a period of years. Boys who are detained for a short period before being committed to the reform school; criminals convicted and waiting to be sent to the penitentiary or reformatory; old and hardened criminals who have been residents of penitentiaries many years awaiting trial for new crimes committed; drunkards, violators of the liquor law and women of ill-fame, add to the unsavory population of the jail. All of these the state, represented by its officers, has succeeded in bringing together and incarcerating.

Granting that we have sufficient machinery to lodge people behind the jail walls, what shall we say of the method of treatment of prisoners by the state? What shall we say of the reform of the inmates of jails? What few remarks I shall make this evening shall be devoted to these specific points. While the jail is part of the means of protecting human society and of apprehending and punishing criminals its service is not complete until the average occupant of the jail comes out of it a better man than when he went in. This is a general principle in penology and applies to the penitentiary, reformatory and jail alike. Except in the case of the habitual and instinctive criminal who is practicably beyond the possibility of reformation, the prisoners of all of our penal institutions should be treated with a view to reform. This has been generally recognized by the best management and the best philosophers and experts on these subjects. In recent years the methods of the penitentiary have been remodelled sufficiently to introduce methods of reform and the reformatory which has recently sprung up is evidence of what may be accomplished in this line. It is necessary now to go one step further and apply the same reformatory methods to our jails. For what avail is it to make the penitentiary an enlightened institution, and the reformatory a school of training away from crime, and neglect the jail which goes on from year to year filling the penitentiary, reformatory and reform school with criminals? The jail is a great source of supply for crime to these other institutions.

Speaking of reformatory methods as applied to the jail, I have no reference to the maudlin sentiment which regards all punishment as injustice and which expresses itself in commiserating the lot of the poor prisoners and sending them flowers as an expression of sympathy. Crime should be punished, and severely punished, but it should be intelligently and not brutally done. It should be so administered that the prisoner becomes under it a better rather than a worse man. The whole tendency of the modern jail is to make people worse rather than better. Whose duty is it to see that the person who is committed to jail is better when he leaves than when he enters? Whose business is it to see that he has an opportunity to redeem his life from error? On this point our system of administration is weak and therefore the jail becomes an incessant crime-breeder.

In the first place the average jail is poorly built for its purpose. It is neither safe nor sanitary. It violates the ordinances of God in regard to fresh air and light. In many instances it is not cleanly. In the second place it is not arranged so that prisoners may be properly classified and classification is the first step in intelligent punishment or reform. Prisoners are therefore allowed to communicate in a school of crime in which the hardened criminals are the instructors and the comparatively innocent are the pupils. Statistics show that a large number of those who go into penitentiaries, reformatories or reform schools have served several terms in this school of crime.

In each instance the crime is a little worse and in each instance the lesson a little more severe. Take an instance which is a fair representation of the condition: "A boy of fourteen years of age, who through careless habits and evil companions has overstepped the boundary of the law, is overtaken in his crime, and is committed to jail. Without friends or advisers, he stands alone, the whole social fabric on one side, and he on the other. He is put into a cell with two men considerably older than himself. One of them, for the first time, through the pressure of circumstances, has been apprehended and committed to jail. He feels that he is there unjustly, that others were the real criminals and he the victim. He is angry, thinks himself outraged, and declares that he will be avenged; but he is on one side and all society on the other, and he declares that he will be revenged on society as soon as he gets out. The one question with him is how to accomplish

his purpose. The third is a hardened criminal who has been in the penitentiary, committed several crimes, and now is apprehended and is awaiting trial. He knows a great deal, and, like most criminals, is even boastful, being ever ready to tell criminal number two how to take revenge on society; and number two becomes a ready scholar. It will be difficult to tell the effect of all this upon a boy who feels that number two is imprisoned unjustly. Number two teaches him how to become an enemy to society, and it all ends in a plan or a plot as soon as they are all out to accomplish some crime, in which the boy is an accomplice. The picture itself is not unreal; for it is repeated over and over in various forms, to my knowledge, in various parts of the country."

Again, neither in the common jail or in most city jails is there an opportunity for regular employment of the prisoners. Work is a prime element in all reforms. Without systematic labor it is useless to hope to improve the condition of one apprehended for crime. It seems to be a popular opinion that when a man is committed for crime he has forfeited all rights of citizenship but the state ought to grant him the right and privilege of labor. Is there any reason why, simply because a man passes behind the prison bars, he should cease to become an economic factor in social life? It appears to me that wherever the state keeps an able-bodied person in idleness it is working a positive detriment to the individual and to the community of which he is a part. He may forfeit his civil liberty but he should not be denied the right to labor. Stone piles, work shops, wood yards and other means of improvement should be provided for all persons within the jail. Nor should these be provided for the sole object of allowing the prisoner to work out his fine or his term of service. Work should be carried on with a view to systematic occupation as a means of reformation and for the purpose of giving instruction in an intelligent manner in the various kinds of labor. This rule should apply to both males and females. I know a town in Kansas where the male prisoners have the privilege of working out their fines but the females, not having the privilege, are kept until the authorities are glad to get rid of them and let them go.

Again, there should also be regular instruction to all the inmates of jails. Is there any reason why, if the jail is for the purpose of protecting society and preventing crime, we should neglect the great leverage of education, both industrial and educa-

tional? If a school is needed for the best children of our community is it not much more needed for the inmates of the jail? I am sure that the hope of the community is in taking the best and making them better, but we should not hesitate from taking the bad and preventing their growing worse or even attempting to make the worse better. In public functions the jail is not so widely different from the public school. The state provides the public school for its own protection, for the perpetuation of liberty and the principles of a free government. It is not because of special sympathy that the individuals should be made better by education. Likewise the jail is provided for the protection of the people, for the promotion of social order and for the prevention of crime. Is there any reason then why the inmates of jails should be denied the privilege of public education? Because a boy is bad in the public schools will you insist that he be denied the privilege of public education? Certainly not, it is not an individual matter, it is a matter of the highest well-being of the community, and wherever he is, that boy who needs an education should receive it and receive the kind best fitted for the making of an independent and self-respecting citizen. Opportunities should also be given for moral and religious instruction, and I mean something more than the holding of religious services in jail, sending flowers to the inmates and the visiting of certain good people who are more blessed with zeal than common sense. With the prisoners properly classified each one could be worked upon through systematic instruction with the result that their characters might be greatly improved. But in this, reformation does not consist in making a saint of one of criminal tendency. Reformation in the interpretation of prison discipline, simply consists in a reasonable assurance that the person shall commit no crime but shall live an independent, self-sustaining, industrious life, and perform the ordinary services of citizenship. Systematic religious and moral instruction, properly applied by the right person, would tend to this end.

Those prisoners who are released from custody should have some special opportunities for redeeming their lives. To take from the jail a boy from eight to twelve years of age and turn him out to compete with others without any special attention, ordinarily results in a sudden return to the jail or that he makes a failure of life in other ways. No one wants to permanently employ a

boy who was once committed for thieving or small crime and as soon as the employer finds that he has a person of this kind in his employ he immediately discharges him. On the other hand, if the boy conceals his identity he carries about with him a cloud of deception which persistently interferes with any effort he might make for his improvement. There ought to be a voluntary association for the supervision of inmates of jails when discharged and with no place to go. The service of this association would consist chiefly in keeping discharged prisoners from going back to their old haunts, and in finding them employment in respectable places with an understanding with the employer. It should also provide for friendly visiting once a week, or as frequently as may be necessary, to encourage and help those who are trying to lead a better life. If labor and education have been properly attended to in the jail the association for following up the work of the state will finally yield a large return for its services.

It may be said that all of these methods require enormous expense, first, of a good jail; second, of classification of prisoners; third, of provision of suitable work; fourth, of provision for intellectual and moral training, and finally, of the work of the voluntary association. But, in the long run, it would be a good investment from an economic standpoint for it would return a large number of inmates to useful lives and reduce the number of those apprehended, which would reduce not only jail but court expenses. Statistics show that in many jails two-thirds of the inmates have been in jails, reformatories, or the penitentiary prior to their last sentence, which goes to show that the number of real criminals is small in proportion to the number of crimes committed and that if even a few turn from the error of their ways the tendency to reduce crime would be comparatively great.

Again, while there are some inmates of jails that seem to be past redemption and who, in spite of all that can be done, are bound to travel the highway of crime to the gallows or the penitentiary, still a large majority of these inmates are susceptible to reform, and, by a little attention, may be turned into useful citizens rather than allowed to follow their course of crime. Especially is this true of the county and city jails of the West where comparatively few of those apprehended are habitual or instinctive criminals. Granting these facts, is it not better to give a little more attention to the sources of crime than to put forth all

of our energies to try to stem the tide of crime at its flood? The great improvement in prisons and in prison management, the introduction of the reformatory and the industrial feature of the reform school has accomplished much in recent years in the reform of criminals and the lessening of the aggregation of crime. Every one versed in penology or criminology assures us that the older and more hardened the criminal the less hope there is of reform and the more expensive he becomes to the state. Therefore, let us hope that the thorough regime that has been inaugurated in the penitentiary, reformatory and reform school shall be applied to the jail, that this institution, instead of being a place of detention for all sorts of broken down humanity and a hotbed of crime, shall become a means of making better citizens of those who are susceptible to improvement.

REV. J. L. MILLIGAN.—I am very glad that we have got two more universities in touch with the National Prison Association, and I want to say to those two distinguished professors who have given us such good papers, that if the libraries of the Missouri and Kansas universities have not the Proceedings of this Association, the Association will be pleased to send them each a full set from 1878 up to the present time.

GEN. BRINKERHOFF said that he was not so hopeful as Mr. Brockway about easily influencing legislatures and he gave in detail the history of the many attempts made in Ohio to secure a reformatory, but he advised the people of Missouri not to be discouraged. With reference to the paper on "The Jail as a Crime-Breeder," GEN. BRINKERHOFF said:

I suppose I have been in more jails than any man connected with this body. All that Professor Blackmar says is true and he has not stated half the truth. The average jail is a horror, a school of crime, a moral pesthouse. They are making criminals by the thousand. About half of our jails in Ohio are sanitary and clean. They are built on right principles. A prisoner can be brought in and he does not see any one else. I do not say that the sheriffs enforce the law as they should; they do not. In England it is a crime for a jailer to let one prisoner see another prisoner, and that is the only country where crime is decreasing. It is delightful there to find so many empty cells. Children ought not to be in jails at all. You should have a probation law here and keep children out of houses of refuge and teach them to live

honest lives. Do not, for God's sake, put the imprint of crime upon a boy in one of these pesthouses and especially do not put him in with a lot of scoundrels, as we found a little boy in the county jail here. We have made much progress in prison reform in this country, but it is hardly felt in the county jail. I do not believe we can make them what they should be until they are put under the control of the state instead of the county. In England they are all under the Home Office and the prisoner goes out of them cleaner than when he came in.

MR. MILLIGAN.—One of the good ladies of Philadelphia sends me up a long paper which we have not time to hear. She has been doing what she could to influence the legislature of Pennsylvania to establish a woman's prison and she is going to keep at that work 'till such a prison is organized.

MR. MILLIGAN then read the following resolutions and moved their adoption:

WHEREAS: We cannot think of taking our leave of this "Gate City of the West," after a week of work and pleasure without expressing our appreciation of the reception accorded us by this hospitable "City of Seven Hills;" therefore,

Resolved, 1st, That we most heartily extend to the members of the efficient local committee our warmest appreciation of their unsparing efforts made for our reception and entertainment. Mr. H. H. Allen and Colonel Philip E. Mullen personally saw that every facility was afforded to carry out the work of our Congress.

Resolved, 2nd, That our thanks are due Rev. W. A. Quayle, D. D., pastor of the Grand Avenue Methodist church, and his congregation, for the use of their house of worship, so centrally located and convenient for the meeting.

Resolved, 3rd, That it is the unanimous sense of the delegates of the Congress that the annual sermon delivered by Rev. S. M. Neel, D. D., pastor of the Central Presbyterian church, was not only an able and eloquent address, but most helpful to us all in our work and that our thanks are sincerely extended to him for the sermon.

Resolved, 4th, That to the great packing establishment visited we hereby extend our thanks for their courtesy in showing and explaining to us the wonder and magnitude of their work.

Resolved, 5th, That the reception accorded the Congress by the Commercial Club, of Kansas City, was highly enjoyed, for the privilege of meeting and greeting the intelligent and energetic business men of the city who have done so much to push it up to the status of a great and growing commercial center.

Resolved, 6th, That we cannot speak too highly of the privilege of visiting the Kansas state penitentiary at Lansing and the United States penitentiary at fort Leavenworth. That our thanks are due to Mr. Philip E. Mullen, who acted as our guide to reach the institutions, and to Warden E. B. Jewett, for his timely luncheon and instructive visit to the entire prison, and to our genial philosopher and friend, Major R. W. McLaughry, warden of the United States penitentiary, for the kind reception and beautiful drive to the "new site." It was a day full of pleasure and instruction.

Resolved, 7th, That our thanks are hereby earnestly expressed for the full and able reports of our daily proceedings by the press of Kansas City.

MR. A. W. BUTLER.—I second this motion. When we accepted the invitation to Kansas City we expected a good deal, but we have received more than we expected. It is more than twenty years since I was here. Then the population was something like 40,000. To-day it is nearly five times that number. It has grown with amazing rapidity. Its prosperity, its bustle, its push, have become famous throughout the country. We can but wish that the same enterprise and push that have been put into social conditions may be applied to the improvement of institutions for which this Congress stands. I may properly express this wish since I come from a state which contains the original capital of this northwest territory. At the time of the purchase of this district there was no settled government within its limits and at first it was necessary that the seat of government should be located in some place, and Vincennes was chosen and the seat of government for this district was for some time there so that in speaking to the people of Missouri as fellow citizens I do so as coming from the old home of the capital.

I think that the object of this conference has not been plainly understood by the people of Missouri and the institutions represented are less understood. I sometimes feel that there is nothing

concerning which our people know so little as about our public institutions, particularly our charitable and correctional institutions. This applies to the people at large and to the people who are to go into them. I remember not very long since when a colored man was brought to one of our prisons who had been sent under the indeterminate law, and when asked by the warden what his term was, he replied, "I don't know that I zackly understood the jedge, but my understandin' was that he said that I cum here for two years, with de privilege of fourteen." The average citizen has not a much clearer idea of the situation. I believe that the only hope of improving our institutions lies in enlightening the public mind concerning them. There are various organizations for educating the people, the state boards of charities, the charity organization societies, the various volunteer societies of all kinds, benevolent and philanthropic and almost or more important the state conferences of charities and correction. I wish to encourage the people of Missouri. You have a state board of charities, a state conference of charities and correction and you ought to bring about reforms more quickly than you could otherwise do. Do not be discouraged because it took Ohio eighteen years to get a reformatory. In Indiana we went to work for one in 1895, and in 1897 we had our reformatory. Some things go with public sentiment. In our work we were ahead of public sentiment but the public sentiment caught up with us and to-day the work is popular. The laws are popular and they are enforced and are approved by the people.

It has been a pleasure to be here. We have enjoyed our visit and we thank you for the splendid hospitality you have shown us.

MISS MARY E. PERRY.—As a Missouri woman I want to say that we are delighted with the encouragement we have received from our visitors. We shall not wait eighteen years for our reformatory while we have a Professor Elwood who tells the fact about our penitentiary and puts before the people of this state the need of an adult reformatory. When we first approached the legislature and asked for a state board of charities we were opposed. When we first asked the legislature for a colony for the epileptic and feeble minded we were opposed, but we have only to ask the legislature earnestly, intelligently, and consistently and to appeal to the best people and we get what we want. I think

Professor Elwood need not feel discouraged. We shall have all the good things we need in a few years.

PRESIDENT SCOTT.—The President wishes to express his official and personal concurrence in the resolutions upon which we are to vote and his personal thanks for the courtesies shown to himself.

A telegram was read by the Chair from Warden E. S. Wright thanking the Association for its message and expressing the hope that the Kansas City Congress would be the best in the history of the Association.

A telegram was received from Gen. Garfield, regretting his inability to attend the meeting and inviting the Association to hold its next session in Havana.

The Committee on Organization reported through Warden Wolfer the following names of persons who were unanimously elected. (See opening pages of the volume.)

An invitation to attend the Missouri State Conference of Charities and Correction was read, and accepted with thanks.

On motion of S. J. BARROWS the following resolution was unanimously adopted:

Resolved, That the National Prison Association of the United States strongly urges upon the Congress of the United States the adoption of a general parole law for United States prisoners whether confined in Federal institutions or in prisons and penitentiaries in the various states. The Association also urges the adoption of an indeterminate sentence law for United States prisoners committed to institutions, whether state or Federal, in which a reformatory and graded system prevails.

Resolved, That a committee of three be appointed by the Chair to promote the passage of such laws.

The Chair appointed as a committee to carry out the resolution, S. J. Barrows, Albert Garvin and Z. R. Brockway.

The resolutions were then unanimously adopted.

GENERAL BRINKERHOFF.—It was my high privilege to be intimately acquainted with Warden Chamberlain for many years. He was one of the most faithful members of this Association, so that in attending these meetings I travelled with him and talked with him and learned to love him. I visited his institution twice. It was one of the best in the country. The atmosphere was very high. It was a Christian prison. He surrounded himself with Christian men and in every way he did a remarkable work. We had a delightful evening together at my house not long ago and he was fully expecting to attend this meeting and was on his way here when he died. It is meet that we should remember Warden Chamberlain and convey to his family our sympathy and affection, and I therefore second the adoption of this minute.

MR. TIMOTHY NICHOLSON.—I should also like to second the motion. Warden Chamberlain was at our state conference at South Bend three weeks ago and was very helpful, as he always was. It was fitting that such a man should die in the harness.

The minute was then unanimously adopted by a rising vote.

In Memoriam.

HON. WILLIAM CHAMBERLAIN, warden of the Michigan state prison ; vice president of the National Prison Association and Christian gentleman, has been suddenly called from earth.

On the night of November 7th inst., in the city of Chicago, while on his way to the meeting of the National Prison Association at Kansas City, Missouri, the pleasure of attending which he had long anticipated—his spirit took its flight.

Mr. Chamberlain had long been actively associated with prison matters ; first as a member of the board of control of the Michigan state prison, to which position he was appointed in 1885 by Gen'l Russell A. Alger, then governor of Michigan, which office he held until the expiration of his term in 1891 ; next as the warden of such prison from 1893 to the time of his death.

The administration of the affairs of the prison by Mr. Chamberlain was of the highest order. A Christian gentleman himself, he ever insisted that his subordinates should be gentlemen in all their dealings with the prisoners committed to their charge, and he believed that the first duty of a warden toward his prisoners was to fit such to re-enter a community in accord with it, and he never lost sight of this end, or allowed it to be obscured in his dealings with the convict. The good order which as a rule prevailed in his prison witnessed to his ability to control men, and the educational advantages and moral influences which were marked features of the Michigan state prison testified to Mr. Chamberlain's appreciation of the value of right environments.

Mr. Chamberlain had long been in public life. Twice

he had served his district in the House of Representatives of Michigan, and twice had he been elected to the State Senate, serving during one term, as president *pro tem.* of such body.

This long and useful life has suddenly been cut off, and that while still in active participation in life's work.

The National Prison Association has lost a valued member, and each of us an honest associate and dear friend.

In recognition of the value of such a life, and as an expression of our esteem for this departed brother, be it

Resolved, That while we deeply mourn our great loss in the removal from our number of Mr. Chamberlain, we can but be thankful that we have been permitted to be associated with him, and to have known a life so noble. That it will ever be our desire and effort to emulate his virtues, that like him, we may, when called from earth, merit the "well done, good and faithful servant".

Resolved, That we extend to the beloved wife and family of our departed brother our most sincere sympathy in this dark hour of their affliction.

Resolved, That this brief minute of the life and death of Warden Chamberlain be spread upon the records of this Congress, that it be printed in the official proceedings, and that a copy of the same be sent by the secretary to the mourning family of our deceased brother.

EDWARD W. JENKS, M. D.,
GEO. W. FREEMAN,
H. McDONALD,
OTIS FULLER,
M. H. MARIORTY,
CYRUS MENDENHALL,
L. C. STORRS,

Committee.

WARDEN D. W. BUSSINGER, of the Eastern Penitentiary, Philadelphia, explained that the omission of a memorial minute in honor of Warden Michael J. Cassidy, which had been prepared for the proceedings of 1901, was owing to a stress of business which had caused it to be overlooked in the office of Dr. Wines after it had been sent to him as a member of the committee having it in charge. On motion of Mr. BUSSINGER, it was voted that this memorial should be printed in the proceedings of 1901 and at the request of the conference it was read by Mr. BUSSINGER as follows:

In Memoria.

Many men in our country have earnestly sought to improve prison management and obtain reformatory results, and not a few have devoted to that object much of the strength and energy of their lives. We may hope and believe that when the purpose has been single and sincere, even the humblest of such workers may have effected some improvement where all thoughtful persons perceive that much improvement is still needed. Nevertheless it is not given to every seeker—however earnest—to discover new and accepted paths, to write his name permanently on the finger boards of time, or even to acquire authority as a recognized leader in his own profession.

If such an admission does not sound very encouraging, we may console ourselves with the reflection that there have been remarkable exceptions whose laborious lives have marked epochs and resting places in the slowly ascending pathway of humanity. Such an exception was our deceased friend Michael J. Cassidy, long an attentive member of this Congress, and during forty years connected with the Eastern penitentiary of Pennsylvania. Our late friend was not a man of wealth, or distinguished birth or influential connections, or even of great learning. Yet his matchless energy, sense, and sound judgment, backed by spotless integrity and a remarkable adaptation to his calling, have not only restored hope to thousands of forlorn outcasts, but have shed new and valuable light on prison discipline and methods. Though humane, appreciative and kind, Mr. Cassidy was a practical man and required practical results. He recognized that bottom fact, *i. e.* that a prison should be neither a school or asylum or church or club, but a place of punishment to be dreaded, while yet affording inducements for reflection and repentance. His life and labors,

though absolutely free from the sickly sentimentality which is a besetting evil of our times, have so effectively exhibited to the world the striking advantages of what is known as the "Separate System" of penal confinement, that he lived to see it adopted during his life time by substantially all civilized nations except portions of his native country.

Mr. Cassidy was born in Philadelphia in 1829, and was bred to the trade of a carpenter, in which capacity he was first appointed to the Eastern penitentiary in 1861. In 1862 he became an "overseer", in 1868 principal overseer, and in 1881, warden, after which, subject only to a Board of Inspectors, the administration was so entirely in his hands that his strong personality continued inseparable from its methods until his death in 1900.

That celebrated institution, which has since become a model for so many others throughout the civilized world, was constructed in 1829, on the radiating cellular plan, being the first that was designed for the express purpose of keeping all prisoners separate from, and uncontaminated by each other at all hours of the day and night. That method had previously received a partial, but very satisfactory trial in the old Walnut street prison in Philadelphia, and had been long and earnestly discussed by many eminent statesmen and penologists in all countries and in almost every language. Mr. Cassidy thus found that system firmly established in Eastern Pennsylvania, where it had been administered by a succession of wardens of more or less merit under an able and deeply interested body of inspectors and visitors. He almost at once appreciated its merits as a reforming agency and gave it his entire and undeviating adhesion. Thenceforth its development, modification and adaptation to all sorts and varieties of criminals, became the chief study and labor of his life. In order to gain theoretical as well as

practical knowledge of all sides of the numerous problems constantly presented, he studied most of the controversial learning on penal subjects so far as it originated in, or became translated into the English language, and became familiar with all the great writers on penology and with their various arguments for and against his system. As his reputation extended, he became an honored guest and close investigator of European as well as American prisons, and many modern foreign prisons bear valued traces of his experienced information and advice.

It was largely in consequence of his cogent reasoning and highly successful example, that it was granted to him to behold during his lifetime, the complete adoption of his favorite system throughout foreign countries, where it has long been universally recognized as the only real promoter of repentance and reform, the only effective protection of the repentant convict from his fellows after discharge, and far the cheapest method of confinement in consequence of the comparatively small number of attendants required, and its absolute freedom from the necessity of violence and punishment of any serious kind. He lived to see millions expended in adapting old prison buildings to the Separate System even in such countries as Russia, Austria and Italy. He saw all opposition to it abandoned outside the United States and its beneficial results to the health, sanity and reformation of convicts, as well as its comparative economy of administration fully established in the recent writings of such distinguished experts as Du Cane, Tallack, Morel and others. He even lived to hear and appreciate the recent statement of the experienced alienist of the Belgian prisons—now considered the best in the world—that there is no longer one penologist in Europe who offers any opposition to the Separate System. He was therefore blest above most other great reformers by seeing his views success-

ful and everywhere adopted, except indeed in his own country, where their time has not yet generally come. The exception, however, does but accord with certain high authority which reminds us that "A prophet is not without honor save in his own country and in his own house".

Mr. Cassidy, though habitually a silent man, who preferred deeds to wordy debates, at times supported his views vigorously both by speech and writing, but his only publication on prisons in book form, except his valuable official reports, is now it is believed out of print. His honorable service in the National Prison Congress, and many of his pithy remarks therein will long be remembered, and there are few prison societies at home or abroad where his death, even at the ripe age of seventy years, will not be mourned as a personal loss to his friends and associates, and a calamity to the course of intelligent prison reform and administrative methods.

He died of a lingering and painful disease on March 14, 1900, and in the vast concourse which followed him affectionately to the grave, there was such an unusual commingling of the best known citizens of the commonwealth with reformed convicts and repentant sinners, saved by his labors, as has been rarely assembled even on like occasions.

STATE REFORM SCHOOLS IN THE UNITED STATES.

NAME OF INSTITUTION.

LOCATION.

Alabama.

Boys' Industrial School East Lake

Alaska.

No School.

Arizona.

No School.

California.

Whittier State School Whittier

Preston School of Industry Ione

Colorado.

State Industrial School for Boys Golden

State Industrial School for Girls Morrison

Connecticut.

State Reform School Meridan

Industrial School for Girls Middletown

Delaware.

Ferris Industrial School Wilmington

Industrial School for Girls Wilmington

District of Columbia.

Reform School Washington

Reform School for Girls Washington

Florida.

State Reform School Marianna

Georgia.

Not yet opened Atlanta

Idaho.

No School.

NAME OF INSTITUTION.	LOCATION.
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Illinois.

State Home for Female Offenders	Geneva
Industrial School for Girls	South Evanston
Erring Woman's Refuge	Chicago
State Reformatory	Pontiac

Indiana.

Reform School for Boys	Plainfield
Reform School for Girls (and Women)	Indianapolis

Iowa.

Industrial School (Boys)	Eldora
Industrial School (Girls)	Mitchellville

Kansas.

State Reform School	Topeka
State Industrial School for Girls	Beloit
State Industrial Reformatory	Hutchinson

Kentucky.

Industrial School of Reform	Louisville
State Reform School	Lexington

Louisiana.

Boys' House of Refuge	New Orleans
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Maine.

State Reform School	So. Portland
Industrial School for Girls	Hallowell

Maryland.

House of Refuge for Boys	Baltimore
Female House of Refuge	Baltimore
St. Mary's Industrial School	Baltimore
House of Reformation for Colored Boys	Cheltenham
Industrial Home for Colored Girls	Melvale

Massachusetts.

Lyman School for Boys	Westboro
State Industrial School for Girls	Lancaster
State Primary School	Monson

Michigan.

Industrial School for Boys	Lansing
Industrial Home for Girls	Adrian

Minnesota.

Minnesota State Training School	Redwing
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Mississippi.

No School.	
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NAME OF INSTITUTION.

LOCATION.

Missouri.

Missouri Reform School for Boys Boonville
 State Industrial Home for Girls Chillicothe
 House of Refuge St. Louis

Montana.

Montana State Reform School Miles City

Nebraska.

Industrial School for Boys Kearney
 Girls' Industrial School Geneva

Nevada.

No School.

New Hampshire.

State Industrial School Manchester

New Jersey.

State Reform School Jamesburg
 State Industrial School for Girls Trenton

New Mexico.

No School.

New York.

Catholic Protectory Westchester
 House of Refuge (Randall's Island) New York City
 State Industrial School Rochester

North Carolina.

No School.

North Dakota.

No School.

Ohio.

Boys' Industrial School Lancaster
 Girls' Industrial Home Delaware
 House of Refuge Cincinnati

Oregon.

Oregon State Reform School Salem

Pennsylvania.

House of Refuge Glen Mills
 Pennsylvania Reform School Morganza

Rhode Island.

Sockanosset School for Boys Howard
 Oaklawn School for Girls Howard

NAME OF INSTITUTION.

LOCATION.

South Dakota.

State Reform School Plankinton

Tennessee.

Tennessee Industrial School Nashville

Texas.

House of Correction and Reformatory Gatesville

Utah.

Reform School Ogden

Vermont.

Vermont Industrial School Vergennes

Virginia.

Laurel Industrial School Glen Allen

West Virginia.

Reform School for Boys Pruntytown

Washington.

State Reform School Chehalis

Wisconsin.

Industrial School for Boys Waukesha

Wisconsin Industrial School for Girls and Young Boys, Milwaukee

Wyoming.

No School.

STATE INDUSTRIAL REFORMATORIES AND PENITENTIARIES IN THE UNITED STATES.

NAME OF INSTITUTION.	LOCATION.
Alabama.	
State Penitentiary	Wetumpka
Arizona.	
Territorial Prison	Yuma
Arkansas.	
Arkansas Penitentiary	Little Rock
California.	
California State Prison	Folsom
California State Prison	San Quentin
Colorado.	
State Penitentiary	Canon City
State Reformatory	Buena Vista
Connecticut.	
State Prison	Wethersfield
District of Columbia.	
Florida.	
Georgia.	
United States Penitentiary	Atlanta
Idaho.	
State Penitentiary	Boise City
Illinois.	
State Penitentiary	Joliet
State Penitentiary	Chester
State Reformatory	Pontiac
Indiana.	
State Reformatory	Jeffersonville
State Prison (North)	Michigan City
Woman's Prison	Indianapolis
Iowa.	
State Penitentiary	Fort Madison
State Penitentiary	Anamosa

NAME OF INSTITUTION.

LOCATION.

Kansas.

State Penitentiary Lansing
 Kansas Industrial Reformatory Hutchinson

Kentucky.

Kentucky Penitentiary Frankfort
 Branch Penitentiary Eddyville

Louisiana.

State Penitentiary Baton Rouge

Maine.

State Prison Thomaston

Maryland.

Maryland Penitentiary Baltimore

Massachusetts.

State Prison Charlestown
 Massachusetts Reformatory Concord
 Reformatory Prison for Women Sherborn

Michigan.

State Prison Jackson
 State House of Correction and Reformatory Ionia
 State House of Correction and Branch Prison Marquette

Minnesota.

State Prison Stillwater
 State Reformatory St. Cloud

Mississippi.

State Penitentiary Jackson

Missouri.

State Penitentiary Jefferson City

Montana.

Montana State Prison Deer Lodge
 Eastern State Prison Billings

Nebraska.

State Penitentiary Lincoln

Nevada.

State Prison Carson City

New Hampshire.

State Prison Concord

STATE REFORMATORIES AND PENITENTIARIES. 273

NAME OF INSTITUTION.	LOCATION.
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New Jersey.

State Prison	Trenton
State Reformatory	Rahway

New Mexico.

New Mexico Penitentiary	Santa Fe
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New York.

Sing Sing Prison	Sing Sing
Auburn Prison	Auburn
Clinton Prison	Dannemora
State Prison for Women	Auburn
New York State Reformatory	Elmira
Eastern New York Reformatory	Ellensville
House of Refuge for Women	Hudson
Western House of Refuge for Women	Albion
Reformatory for Women	Bedford

North Carolina.

State Penitentiary	Raleigh
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North Dakota.

North Dakota Penitentiary	Bismarck
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Ohio.

State Penitentiary	Columbus
State Reformatory	Mansfield

Oregon.

State Penitentiary	Salem
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Pennsylvania.

Eastern State Penitentiary	Philadelphia
Western Penitentiary of Pennsylvania	Allegheny
Industrial Reformatory	Huntingdon

Rhode Island.

State Prison	Howard
State Workhouse and House of Correction	Howard

South Carolina.

South Carolina Penitentiary	Columbia
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South Dakota.

South Dakota Penitentiary	Sioux Falls
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Tennessee.

State Penitentiary	Nashville
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Texas.

Huntsville Penitentiary	Huntsville
Rusk Penitentiary	Rusk

NAME OF INSTITUTION.

LOCATION.

Utah.

Utah Penitentiary (United States Prison) Salt Lake City

Vermont.

Vermont State Prison Windsor

Vermont House of Correction Rutland

Virginia.

Virginia Penitentiary Richmond

Washington.

Washington State Penitentiary Walla Walla

West Virginia.

West Virginia Penitentiary Moundsville

Wisconsin.

State Prison Waupun

Wyoming.

Wyoming State Penitentiary Laramie

State Penitentiary Rawlins

Canada.

Central Penitentiary Kingston

Central Prison of Ontario Toronto

St. Vincent de Paul Penitentiary

Dorchester Penitentiary

British Columbia Penitentiary New Westminster

Manitoba Penitentiary Stoney Mountain

THE CENTRAL HOWARD ASSOCIATION.

Room 613 Unity Bldg, 79 Dearborn St.

CHICAGO, ILL.

BOARD OF DIRECTORS.

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Whitman, H. W. Thomas, D. D.

"A friend in need is a friend indeed."

F. EMORY LYON, *Superintendent.*

JOHN L. TAIT, *Secretary.*

DAVID VERNON, *Treasurer.*

The Central Howard Association is organized for the promotion of the following

OBJECTS:

- I. To awaken public sentiment in behalf of the worthy ex-prisoner.
- II. To secure employment for ex-prisoners, especially acting as "first friend" to men entitled to parole.
- III. To extend the advantages of the parole law and the indeterminate sentence, and the juvenile court law.
- IV. To encourage measures for the continued improvement of prison buildings and discipline, particularly in county jails and city prisons, where it is most needed.
- V. To facilitate the organization of local and state prisoners' aid societies and to act as a bureau of co-operation between them.

NEEDS OF THE ASSOCIATION.

1. The opportunity to make its work known to the largest possible constituency through the platform, the press, and the printed page.
2. The active co-operation of manufacturers, farmers, and others who will employ these men, and thus give them the opportunity they seek.
3. Financial helpers in the way of regular contributors, or those willing to aid the endowment of the Association for its permanent and constantly increasing work.

LIST OF DELEGATES
IN ATTENDANCE AT
THE PRISON CONGRESS
KANSAS CITY, MO., NOVEMBER 9-13, 1901.

CANADA.

Whyte, Maj. J. C., Warden British Columbia Penitentiary, New Westminster.
Irvine, Lieut. Col. A. G., Warden Manitoba Penitentiary, Stoney Mountain, Manitoba.

COLORADO.

Stonaker, C. L., Official Delegate, Secretary State Board of Charities and Correction, Denver.
Farber, Rudolph, Ph. D., Official Delegate, Denver.
Hoyt, Clarence P., Ex-Warden State Penitentiary, Golden.
Martin, E. H., Official Delegate, Warden State Prison, Canon City.
Martin, Mrs. E. H., Canon City.
Smith, Joseph H., Official Delegate, Warden State Reformatory, Buena Vista.
Vosburgh, Rev. George B., D. D., Denver.
Wheeler, Rev. T. S., Official Delegate, Chaplain State Prison, Canon City.

CONNECTICUT.

Fuller, Edward A., Director State Prison, Hartford.
Garvin, Albert, Warden State Prison, Weathersfield.
Wells, Thomas D., Secretary State Board of Prison Directors, Hartford.

DISTRICT OF COLUMBIA.

Lemly, Samuel C., LL. D., Judge Advocate General United States Navy, Washington, D. C.

GEORGIA.

Hawk, S. A., Warden United States Penitentiary, Atlanta.

IDAHO.

Arney, Charles E., Warden State Penitentiary Boise City.

ILLINOIS.

Baldwin, Abraham, Chicago.

Baldwin, Mrs. A., Chicago.

Brown, B. W., Official Delegate, Commissioner Joliet Penitentiary, New Berlin.

Brown, Mrs. B. W., New Berlin.

Clark, T. J., Commissioner Southern Penitentiary, Quincy.

Condon, John T., Chicago.

Duncan, John H., President Board of Commissioners Southern Penitentiary, Marion.

Fallows, Rt. Rev. Samuel, D. D., President Board of Managers, State Reformatory, Chicago.

Lyon, Rev. F. Emory, Superintendent Central Howard Association, Chicago.

Mallory, M. M., General Superintendent State Reformatory, Pontiac.

Murphy, E. J., Warden State Penitentiary, Joliet.

Rutledge, Rev. W. N., Official Delegate, Chaplain, Menard.

Tanner, J. M., Warden Southern Penitentiary, Chester.

Thornton, Rev. W., Chaplain State Penitentiary, Joliet.

Thornton, Mrs. S. W., Joliet.

INDIANA.

Spofford, Thomas E., County Commissioner, Indianapolis.

Smith, H. B., County Auditor, Indianapolis.

Shaw, A. D., Superintendent Workhouse, Indianapolis.

Butler, Amos W., Secretary Board of State Charities, Indianapolis.

Greer, James E., Commissioner Marion County, Indianapolis.

Hert, Alvin T., General Superintendent Indiana Reformatory, Jeffersonville.

McGregor, John, Commissioner Marion County, Indianapolis.

Nicholson, Timothy, member of Board of Charities, Richmond.

Reed, James D., Warden State Prison, Michigan City.

KANSAS.

Blackmar, Frank W., Professor Sociology and Economics, University of Kansas, Lawrence.

Grigsby, C. E., Prison Physician, Lansing.

Jewett, E. B., Warden Kansas Penitentiary, Lansing.
Leavitt, Rev. F. J., Chaplain United States Penitentiary, Fort Leavenworth.
Simmons, J. S., Superintendent Industrial Reformatory, Hutchinson.
Simmons, Mrs. J. S., Hutchinson.
Ellet, Ed. C., Director State Penitentiary, Eldorado.
Fredenhagen, Rev. E. A., General Superintendent Society for the Friendless, Topeka.
Kelley, Phillip, President Board of Managers Industrial Reformatory, Hutchinson.
McBrian, Rev. J. D., Chaplain Penitentiary, Lansing.
O'Neil, T. J., Treasurer Board of Managers Industrial Reformatory, Hutchinson.
Zacharias, Frank, Secretary Board of Managers State Reformatory, Harper.

KENTUCKY.

Caldwell, P., Superintendent Industrial School of Reform, Louisville.

MAINE.

Smith, Hillman, Official Delegate, Warden State Prison, Thomaston.
Smith, Mrs. Hillman, Thomaston.
Smith, Miss Etta M., Thomaston.

MARYLAND.

Stoudenmire, Rev. William C., General Agent Maryland Prisoners' Aid Association, Baltimore.

MASSACHUSETTS.

Bailey, J. Warren, Secretary Prison Commissioners, Boston.
Bailey, Mrs. J. Warren, Boston.
Batt, Rev. Wm. J., Chaplain State Reformatory, Concord.
Brown, Rev. Frederick C., Chaplain United States Navy Yard, Boston.
Morton, Mrs. F. A., Superintendent Reformatory Prison for Women, So. Framingham.
Scott, Joseph F., Superintendent Massachusetts Reformatory, Concord Junction.
Tuttle, Elizabeth L., Official Delegate, Probation Officer New Court House, Boston.

MICHIGAN.

Freeman, George W., Warden State Prison, Marquette.
Fuller, Otis, Warden State Reformatory, Ionia.

Jenks, Edward W., M. D., Member State Board of Corrections and Charities, Detroit.

McDonnell, J. L., Superintendent House of Correction, Detroit.

Mariorty, M. H., Member Board of Control State Prison, Marquette.

Mendenhall, Rev. Cyrus, Chaplain State Reformatory, Ionia.

Storrs, L. C., Secretary State Board of Charities, Lansing.

MINNESOTA.

Randall, Frank L., Superintendent State Reformatory, Saint Cloud.

Wolfer, Henry, Warden State Prison, Stillwater.

Smith, Rev. Samuel G., D. D., St. Paul.

Smith, Miss Sadie N., St. Paul.

MISSOURI.

Allen, Harry H., Secretary Kansas City Convention Bureau, Kansas City.

Cromer, Rev. James A., Kansas City.

Devol, H. F., Kansas City.

Ellwood, Charles A., Professor of Sociology University of Missouri, Columbia.

Hurt, Mrs. Julia G., Member State Board of Charities and Correction, Kansas City.

Loos, Fred V., Member State Board of Charities and Corrections, Liberty.

Mullin, Philip E., Official Delegate, Vice President, Kansas City.

Neel, Rev. S. M., Kansas City.

Perry, Miss Mary E., Vice President State Board of Charities and Corrections, St. Louis.

Pikes, W. G., Ex-Chaplain Missouri State Penitentiary, Kansas City.

Rodes, J. H., Sedalia.

Rodes, C. B., Sedalia.

Robinson, J. F., M. D., Superintendent State Hospital No. 3, Nevada.

Wallace, William H., Kansas City.

Warren, Rev. George J., Chaplain Penitentiary, Jefferson City.

Warren, Mrs. George J., Jefferson City.

Wooldridge, F. M., Warden State Prison, Jefferson City.

Yeager, R. L., Kansas City.

NEBRASKA.

Clark, Horace M., Superintendent Girls' Industrial School, Geneva.

Davis, E. D., Warden State Penitentiary, Lancaster.

Davis, John, Chief Clerk Board of Charities, Lincoln.

Evans, Mrs. D. W., Official Delegate, Bible Teacher State Penitentiary, University Place.

Flowers, Mrs. Sarah J., Official Delegate, Bible Teacher, Lincoln.

Hoagland, H. V., Chief Police, Lincoln.

Mallalieu, John T., Superintendent State Industrial School, Kearney.
Martin, Rev. George W., D. D., Chaplain State Penitentiary, Lincoln.
Power, John, Sheriff Douglas County, Omaha.
Taylor, S. N., Sheriff Hall County, Grand Island.

NEW HAMPSHIRE.

Cox, Charles E., Warden New Hampshire State Prison, Concord.
Cox, Mrs. Evelyn M., Concord.

NEW YORK.

Baker, Charles K., Clerk of the Superintendent of State Prisons, Albany.
Barrows, Samuel J., Corresponding Secretary Prison Association of New York, 135 E. Fifteenth St., New York City.
Barrows, Mrs. Isabel C., Official Reporter, 135 E. Fifteenth St., New York City.
Brockway, Z. R., Elmira.
Deyo, George, Warden Clinton Prison, Dannemora.
Gerin, John, M. D., Prison Physician, Auburn Prison, Auburn.
Hall, O. C., Superintendent Industries Auburn Prison, Auburn.
Lamb, Robert Brockway, M. D., Medical Superintendent Dannemora State Hospital, Dannemora.
Mills, Fred Hamlin, General Superintendent of Industries, Prison Department, Albany.

NORTH DAKOTA.

Boucher, N. F., Warden State Penitentiary, Bismarck.
Braddock, Edward, President Board Trustees, North Dakota Penitentiary, Bismarck.

OHIO.

Baker, H. J., President Workhouse, Zanesville.
Behrens, Henry, Member Board of Directors, House of Refuge, Cincinnati.
Brinkerhoff, R., Member Board of State Charities, Mansfield.
Burton, R. C., Director Workhouse, Zanesville.
Byers, Joseph P., Secretary Board of State Charities, Columbus.
Costello, P. R., Assistant Superintendent House of Refuge, Cincinnati.
Darby, William N., Warden Penitentiary, Columbus.
Follett, Martin Dewey, Member Board State Charities, Marietta.
Jones, R. E., Member Board of Trustees Boys' Industrial School, Columbus.
Hilles, C. D., Superintendent Boys' Industrial School, Lancaster.
Korns, Wilson A., Member Board of Managers, Ohio State Reformatory, New Philadelphia.
Leonard, J. A., Superintendent Ohio State Reformatory, Mansfield.

Locke, Rev. W. H., Official Delegate, Chaplain Ohio State Reformatory, Mansfield.

McFadden, H. H., Member Board of Managers, State Reformatory, Steubenville.

Platt, Rutherford Hays, Member Board of State Charities, Columbus.

Ruehrwein, William, Superintendent Workhouse, Cincinnati.

Starr, Rev. David J., Official Delegate, Chaplain Penitentiary, Columbus.

Weary, Frank O., Akron.

White, John F., Member Board of Trustees Boys' Industrial School, Logan.

PENNSYLVANIA.

Barnes, Rev. R. Heber, Official Delegate, Philadelphia.

Bennett, Oliver J., M. D., Physician Western Penitentiary of Pennsylvania, Allegheny.

Bussinger, D. W., Official Delegate, Warden Eastern State Penitentiary, Philadelphia.

Bussinger, Mrs. D. W., Philadelphia.

Harrison, W. E., Director Allegheny County Workhouse, McKeesport.

Houston, Charles W., Official Delegate, Member Board of Managers Morganza Reform School, Pittsburg.

Houston, Mrs. Charles W., Pittsburg.

Imbrie, Rev. D. R., Chaplain Allegheny County Workhouse, Allegheny.

Johnston, William McC., Warden Western State Penitentiary, Allegheny.

Kelly, Dr. George M., Physician Allegheny County Workhouse, Sharpsburg.

Leeds, Deborah C., Official Delegate, Prison Evangelist, Philadelphia.

Long, Charles J., Official Delegate, Wilkesbarre.

Lytle, John J., Official Delegate, General Secretary Pennsylvania Prison Society, Philadelphia.

Milligan, Rev. John L., LL. D., Official Delegate, Secretary National Prison Association, Chaplain Western Penitentiary, Allegheny.

Nevin, Charles F., Official Delegate, Secretary and Member Board of Inspectors Western Penitentiary, Allegheny.

Reed, J. R. Official Delegate, Treasurer and Member Board of Inspectors Western Penitentiary, Pittsburg.

SOUTH CAROLINA.

Sanders, A. K., Director State Penitentiary, Hagood.

SOUTH DAKOTA.

Swenson, O. L., Warden Penitentiary, Sioux Falls.

UTAH.

Dow, G. W., Warden Utah State Prison, Salt Lake City.

WEST VIRGINIA.

Bloyd, J. A., Treasurer West Virginia Penitentiary, Moundsville.
Bloyd, Mrs. J. A., Moundsville.
Haddox, C. E., Warden West Virginia Penitentiary, Moundsville.
Haddox, Mrs. C. E., Moundsville.
Ogden, N., President Directors West Virginia Penitentiary, St. Marys.
Ogden, Mrs. N., St. Marys.
Steele, Dr. S. M., Sheriff Marshall County, Moundsville.

WISCONSIN.

Bowron, C. W., Official Delegate, Superintendent State Reformatory,
Green Bay.
Grataphorst, Herman, Official Delegate, Member State Board of Control,
Baraboo.
McClaghry, C. C., Official Delegate, Warden State Prison, Waupun.
McClaghry, Mrs. C. C., Waupun.

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